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ILLINOIS HISTORICAL SURVEY

INVENTORY OF THE COUNTY ARCHIVES OF ILLINOIS

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NO. 65

MENARD COUNTY
(PETERSBURG)

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MENARD COUNTY COURT HOUSE

Petersburg, Illinois

INVENTORY OF THE COUNTY ARCHIVES OF ILLINOIS

Menard County (Petersburg)
No. 65

Prepared by

Illinois Historical Records Survey
Division of Community Service Programs
Work Projects Administration

Sponsored by
THE GOVERNOR OF ILLINOIS

Chicago, Illinois
Illinois Historical Records Survey
April 1941

Historical Records Survey Projects

SARGENT B. CHILD, National Director
THOMAS R. HALL, State Supervisor

Research and Records Section

HARVEY E. BECKNELL, National Director
GEORGE W. HUBLEY, JR., Regional Supervisor
WILLARD N. HOGAN, State Chief
LAWRENCE P. JONES, State Supervisor
ILLINOIS PUBLIC RECORDS PROJECT

Division of Community Service Programs

FLORENCE KERR, Assistant Commissioner
MARY GILLETTE MOON, Chief Regional Supervisor
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HOWARD O. HUNTER, Acting Commissioner
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ILLINOIS HISTORICAL SURVEY

The Inventory of the County Archives of Illinois is one of a number of guides to historical materials prepared throughout the United States by workers on the Historical Records Survey Projects of the Work Projects Administration. The publication herewith presented, an inventory of the archives of Menard County, is number 65 of the Illinois series.

The Historical Records Survey was undertaken in the winter of 1935-36 for the purpose of providing useful employment to needy unemployed historians, lawyers, teachers, and research and clerical workers. In carrying out this objective, the project was organized to compile inventories of historical materials, particularly the unpublished government documents and records which are basic in the administration of local government, and which provide invaluable data for students of political, economic, and social history. Up to the present time, approximately 1,300 publications have been issued by the Survey throughout the country. The archival guide herewith presented is intended to meet the requirements of day-to-day administration by the officials of the county, and also the needs of lawyers, business men, and other citizens who require facts from the public records for the proper conduct of their affairs. The volume is so designed that it can be used by the historian in his research in unprinted sources in the same way he uses the library card catalog for printed sources.

The inventories produced by the Historical Records Survey Projects attempt to do more than give merely a list of records - they attempt further to sketch in the historical background of the county or other unit of government, and to describe precisely and in detail the organization and functions of the government agencies whose records they list. The county, town and other local inventories for the entire country will, when completed, constitute an encyclopedia of local government as well as a bibliography of local archives.

The successful conclusion of the work of the Historical Records Survey Projects, even in a single county, would not be possible without the support of public officials, historical and legal specialists, and many other groups in the community. Their cooperation is gratefully acknowledged.

The Survey was organized by Luther H. Evans, who served as Director until March 1, 1940, when he was succeeded by Sargent B. Child, who had been National Field Supervisor since the inauguration of the Survey. The Survey operates as a nation-wide series of locally sponsored projects in the Division of Community Service Programs, of which Mrs. Florence Kerr, Assistant Commissioner, is in charge.

HOWARD O. HUNTER
Acting Commissioner

C36

PREFACE

The undertaking now officially designated the Historical Records Survey Projects, was initiated nationally in January 1936 as part of the Federal Writers' Project of the Works Progress Administration, now the Work Projects Administration. In Illinois the Survey became an independent unit in August 1936, but continued to operate as part of the nation-wide project under the technical supervision of Dr. Luther H. Evans, National Director, and under the administrative supervision of the Division of Community Service Program. Dr. Evans resigned March 1, 1940, and was succeeded by the present director, Sargent B. Child. Alston G. Field, Howard E. Colgan, and Royal Van De Woestyne, were the first three state directors, serving until November 1, 1937, to May 16, 1939, and to October 1, 1940, respectively. Since February 14, 1941, the Survey has been a part of the Illinois Public Records Project. On September 1, 1939, the Illinois State Library, of which Secretary of State Edward J. Hughes is State Librarian and Helene H. Rogers, Assistant State Librarian, became the sponsor of the Illinois Historical Records Survey. On January 15, 1940, this sponsorship was assumed by the University of Illinois. The present sponsor of the Survey is the Honorable Dwight H. Green, Governor of Illinois.

In compiling this inventory of the archives of Menard County, the Survey has sought to locate, describe and classify all extant county records and to make them more easily accessible to county officials, the general public, and research workers. It is believed that this inventory will be useful as a guide to the archives wherein may be found so much important information in the field of history, sociology, political science, and economics, and that it will result in a greater interest in their preservation. While some historians have realized this for many years, the general public has never been made aware of the intrinsic worth of this material. In the official documents of Menard County are found the materials of another chapter of the story of the coming into the Illinois wilderness of settlers who created a territory and the rudiments of a simple frontier government, bought and sold land, built roads, established schools, and later founded a state.

The Illinois Historical Records Survey has proved to be of considerable assistance to local and county govern-

ments. Records have been rearranged and made more accessible, material believed to be lost has been located, indexing projects have been fostered, and county officials have been encouraged and induced to provide new equipment for their offices and better storage space for the records.

In addition, the program of the Survey has been planned to dovetail with the long-range plans of the State of Illinois for the care of the state and local archives. For example, the first step, the removal of all state records to a new Archives Building, has been materially aided by the preparation of preliminary inventories by survey workers for the various state departments. Furthermore, the program of the state for the preservation of county records, including the making of microphotographic copies of all important historical documents, obviously presupposes inventories such as the Illinois Historical Records Survey is now making.

The inventories being compiled by the Historical Records Survey Projects also make possible for the first time a scientific study of the question of record destruction. Under Illinois law no records may be destroyed without specific enabling legislation. This provision, together with the tremendous increase in the quantity of records in recent years, has made it impossible for either the state or the counties to take care of the documents adequately. Hence, a certain amount of record destruction has been inevitable. If, as seems probable, a study of these inventories should lead to the enactment of adequate and sensible legislation governing the disposition of public records, these compilations may prove to be the most important contribution of the Survey.

Preliminary work on the survey in Menard County, the sixty-fifth on the alphabetically arranged list of the one hundred and two counties in Illinois, was begun May 11, 1936, and completed June 24. Field forms of the survey were forwarded to the state office in Chicago in December of the same year. All forms were returned for a thorough recheck July 28, 1938. This recheck was completed and the field forms again forwarded to Chicago for final editing and arranging in October 1939. Abstracting and transcribing county board records, upon which much of the contents of this inventory is based was begun December 14, 1938 and completed March 6, 1941. The inventory was taken by Michael DeVaney, William Wallace Stout, Lee Daniels, and Stanley Pond, under the supervision of Kenneth C. Blood. Abstracting and transcribing of county board records was done by Rutledge Thompson, Lee Daniels, Stanley Pond, and John H. Satorius, Jr.

The inventory was prepared for publication by the state editorial staff of the Illinois Historical Records Survey at Chicago under the supervision of Herbert R. Rifkind, State Editor. Entries in Part B were prepared under the direction of Martine O'Connor; the legal essays were prepared by Romeo Burwell; Fred W. Cass wrote the historical sketch under the supervision of Seymour J. Pomrenze. Under the supervision of Edward J. McDonough, in charge of collation and supplementary units, research data on the housing and care of records were assembled by Fred A. Komarek and the essay written by Dominic Krzywonos; and Charles J. Cooley compiled the roster of county officers. The inventory was indexed by Leslie Pyle, and the maps and charts were drawn by Louis J. Mader. Dorothy Herold supervised typing and mimeographing. Credit also must be given to the other members of the editorial, research, and typing staffs for their intelligent and diligent cooperation in the compiling of this inventory.

All of the officers of Menard County cooperated in every way with the workers, and grateful acknowledgment of their aid is hereby made. I also wish to express appreciation for the assistance rendered by the officials of the Illinois Work Projects Administration and the Illinois Writers' Project. For the cover design we are indebted to the Illinois Art Project.

The various units of the Inventory of the County Archives of Illinois will be available for distribution to the governmental offices, libraries, schools, and historical societies in Illinois, and libraries and governmental agencies in other states (for list of Illinois Publications, see page 296). Requests for information concerning any of these units should be addressed to the State Supervisor.

Thomas R. Hall
State Supervisor
Illinois Historical Records
Survey

April 15, 1941


MENARD
COUNTY
ILLINOIS

James M. Barnes
Congressman, 20th District

Martin B. Lohman
Senator, 30th District

Robert H. Allison
Representative, 30th District

Major T. Flowerree
Representative, 30th District

Ed. Teefey
Representative, 30th District

MENARD COUNTY OFFICERS

County Judge	Virgil O. Whipp,	Petersburg, Illinois
County Clerk	Maurice E. Ogden,	Petersburg, Illinois
Circuit Clerk	Allen Smith,	Petersburg, Illinois
County Treasurer	Richard D. Rule,	Petersburg, Illinois
Sheriff & Collector	Harry Riggin,	Petersburg, Illinois
State's Attorney	Jefferson Lewis,	Petersburg, Illinois
Supt. of Schools	E. M. Auguspurger,	Petersburg, Illinois
Supt. of Highways	J. Colby Beekman,	Petersburg, Illinois
Master in Chancery	Arthur W. Lilienstein,	Petersburg, Illinois
Coroner	Dr. Irving Newcomer,	Petersburg, Illinois
Supt. of County Farm	Chas. Cassen,	Petersburg, Illinois
County Nurse	Julia Stolies	Petersburg, Illinois

Road Dist. #1	D.J. Rayburn,	Commissioner	Athens, Illinois
	Chas.H.Hurst,Jr.	Clerk	Greenview, Illinois
Road Dist. #2	Thomas Tobias,	Commissioner	Athens, Illinois
	J.T. Tilson,	Clerk	Athens, Illinois
Road Dist. #3	Ed Simmering,	Commissioner	Greenview, Illinois
	Otto G. Deverman	Clerk	Greenview, Illinois
Road Dist. #4	P.J. Daley,	Commissioner	Athens, Illinois
	Eural Baum,	Clerk	Athens, Illinois
Road Dist. #5	Wm. H.Montgomery,	Commissioner	Petersburg, Illinois
	Howard O. Bell,	Clerk	Atterberry, Illinois
Road Dist. #6	Paul Greenwald,	Commissioner	Petersburg, Illinois
	George Schafer	Clerk	Tallula, Illinois
Road Dist. #7	Hubert Woodrum,	Commissioner	Tallula, Illinois
	Lee Roy Klein,	Clerk	Ashland, Illinois
Road Dist. #9	Grover Knoles,	Commissioner	Petersburg, Illinois
	Palmer Nolting,	Clerk	Petersburg, Illinois
Road Dist.#10	Otto Weidhuner,	Commissioner	Greenview, Illinois
	Henry J. Wohler,	Clerk	Greenview, Illinois
Road Dist.#11	H.P. Wagoner,	Commissioner	Petersburg, Illinois
	Ira E. Rhodes,	Clerk	Petersburg, Illinois

COUNTY COMMISSIONERS

Carl Shafer (Chairman)	Petersburg, Illinois
Howard Horn	Petersburg, Illinois
Ernest Primm	Petersburg, Illinois

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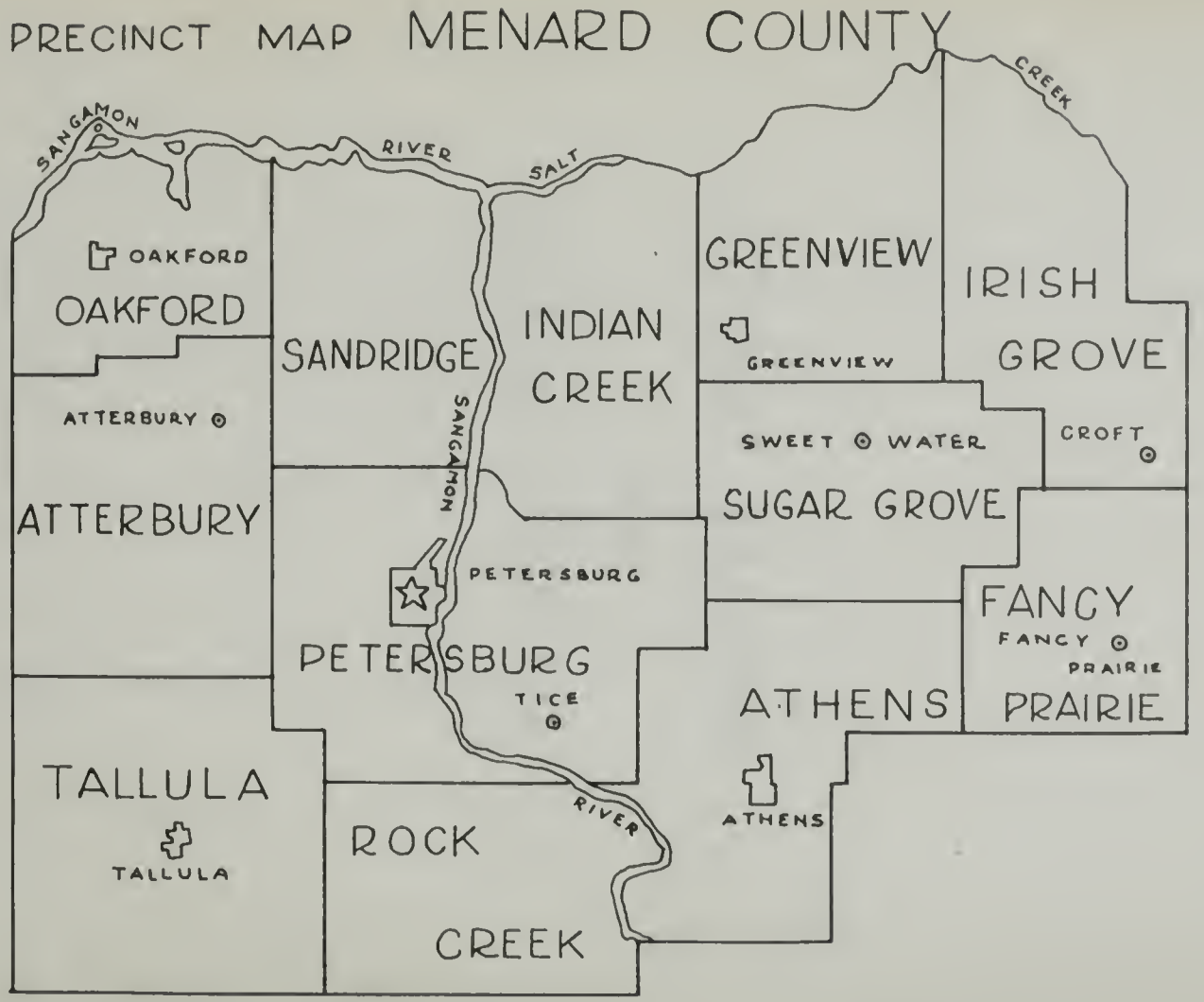
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A. MENARD COUNTY

and

ITS RECORDS SYSTEM


PRECINCT MAP MENARD COUNTY
SANGAMON RIVER
SALT CREEK
OAKFORD
OAKFORD
ATTERBURY
ATTERBURY
SANDRIDGE
SANGAMON
INDIAN CREEK
GREENVIEW
GREENVIEW
IRISH GROVE
SWEET WATER
CROFT
SUGAR GROVE
PETERSBURG
PETERSBURG
TICE
FANCY
FANCY
PRAIRIE
PRAIRIE
ATHENS
ATHENS
TALLULA
TALLULA
ROCK CREEK
RIVER

(First entry, p. 124)

1. HISTORICAL SKETCH

Introduction

The settlement of the present area of Menard County between the close of the War of 1812 and the beginning of the Mexican War was part of the westward movement in United States history which carried the frontier line to the one-hundreth parallel and beyond. In that interval local governmental units and institutions were set up in the county, schools and churches established, and agriculture developed. Since the land was rich and its yield abundant, the rural, agricultural way of living entrenched itself firmly. Although the presence of a large number of immigrants, especially from Germany, added a European flavor to the social and cultural life in the county, yet the fact that they originated almost exclusively in western and northern Europe meant that the inhabitants of the county did not face difficult racial and religious problems. While towns and villages developed early and the railroad entered the region after 1860, the farming economy maintained its hegemony in Menard County upon until our own day.

Physical Geography

Menard County is situated slightly west of the center of the state, occupying an area about 22 miles east by west and 16 miles north by south.[1] The 202,880 acres within the approximate 317 square miles[2] of the county are divided into three parts: prairie, wood, and river bottom lands.[3] The county lies wholly within the Sangamon River Basin, reputed to be the richest area of its size in the state (Sangamon in the language of the Pottawattomies means "good things to eat");[4] and its surface is nearly

1. John C.W. Bailey, ed., Illinois State Gazetteer and Business Directory, p. 82.
2. U.S. Bureau of the Census, Fifteenth Census of the United States: 1930, Population Bulletin, First Series, Illinois, p. 9 (hereinafter cited as Population Bulletin). Other estimates of the area of Menard are 311 square miles (Illinois Geological Survey, Economical Geology of Illinois, II, 420; hereinafter cited as Economical Geology of Illinois); and 320 square miles (Newton Bateman, et al., Historical Encyclopedia of Illinois, I, 370).
3. Economical Geology of Illinois, II, 420.
4. George W. Smith, History of Illinois and Her People, I, 424.

level, for the most part gently undulating, becoming hilly and broken only along the courses of its streams.[5] The mean average elevation is about 600 feet throughout the county, varying from 537 feet at Greenview in the northwestern part of the county to 788 feet at the New Salem site in the west central portion.[6] Along the streams of the county are to be found growths of timber which include all the varieties that are common to the region: oak, elm, ash, walnut, butternut, sycamore, linden or basswood, hickory, cottonwood, black and honey locust, pecan, cherry, mulberry, and hard and soft maple.[7] Except along the streams there is very little timber land; in the county today, however, numerous groves have been planted which add to the timber supply and give beauty to the countryside. Nearly all the timber to be found at present is second growth and still covers about a tenth-portion of the county.[8]

Among the early animals in the county were the buffalo, various species of deer, bears, panthers, foxes, wolves, and wildcats. Swans, geese, and ducks covered the streams, and alongside the waterways could be found the beaver, otter, and mink. The streams abounded in edible fish and most of these, especially the larger species, disappeared before the tide of civilization arrived.[9] Today prairie types of game prevail: prairie chickens, quails, pheasants, Hungarian partridges, and cottontail rabbits are found in sufficient number to afford good hunting. Game laws, instituted for the propagation and protection of wild animal life within the state have existed since the early days.[10]

5. Economical Geology of Illinois, II, 420.
6. Various other recorded altitudes distributed over the area are: Petersburg (central), 523.706; Athens (southeastern), 605.783; Atterbury (northcentral), 601.783; and Tallula (southwestern), 625. "Dictionary of Altitudes in Illinois", in Illinois State Geological Survey, Biennial Report for 1913 and 1914, No. 30, p. 118,132,142,144,151.
7. R.D. Miller and James M. Ruggles, History of Menard and Mason Counties, Illinois, p. 192. Hereinafter cited as Miller, History of Menard.
8. Illinois State Planning Commission, Report on the Sangamon River Basin in Illinois, p. 2.
9. Illustrated Atlas Map of Menard County, Illinois, p. 10.
10. Report on Sangamon River Basin, p. 15; L. 1869, p. 190, entitled "An Act to extend the provisions of the game law to certain counties therein named".

The greater part of the county is drained by the Sangamon River which leaves Sangamon County and crosses the southern boundary of Menard almost at its center, flowing through the county in a northwesterly direction to the city of Petersburg, the county seat. There it takes a suddent turn, continuing its course in a northerly direction through the center of the county, and cutting it into two almost equal parts until joined by Salt Creek some ten miles north of Petersburg. From the point of entrance into Menard until it is joined by Salt Creek the Sangamon flows through rolling country, and its course is marked by flat valleys which vary in width according to the resistance of the drift to erosion. After its confluence with Salt Creek the Sangamon turns westward, forming the western part of the northern boundary of Menard County, and continues its course for a distance approximately ten miles in length before it enters the Illinois.[11]

Salt Creek enters Menard at the county's northeast quarter and flows northwest about three miles. Then, taking a more westerly course for some eight miles it proceeds through typical prairie and straightened channels to its confluence with the Sangamon some eight miles southwest in Mason City in Mason County. Rock, Indian, Grove, and Pike creeks are the more important tributaries of the Sangamon River and Salt Creek. All these streams with their numerous lateral branches run in various directions through the county, providing an abundance of water for the use of the inhabitants, and also furnishing an adequate system of irrigation to the lands.[12]

Geologically considered, the formation of Menard County belongs to the Quaternary Period. Glacial drift and coal measures underlie the surface. The Mississippi loess forms the bluffs along the Sangamon River and Salt Creek, while the drift deposits are brown, yellow, and blue clays and boulders, with sand and gravel seams frequently occuring amid the mass. At Sweetwater the thickness was found to be 110 feet from the surface to the uppermost bed of rock, and the boring presented the following sections: surface soil and brown clay, 40 feet; quicksand, 11 feet; and blue clay, 59 feet.[13] The signif-

11. Report on Sangamon River Basin, p. 12; Illinois Department of Public Works and Buildings, Division of Highways, Map of Menard County, July 7, 1931, drawn by W.R. Schaffner.
12. Ibid.
13. Economical Geology of Illinois, II, 421.

icance of the glaciation formations is readily understood when one realizes that the rock materials which entered into the glacial soils furnished the necessary plant food in abundance and left sand, gravel, and clay for building purposes.[14]

The Pennsylvania rocks, or coal measures, which consist of sandstone, limestone, shale, and thick layers of coal, where laid down ages ago when the region possessed a flourishing vegetative growth like that of the tropics. The many layers of coal disclose that at one time the tropical climate which prevailed produced this heavy vegetation that, after decay, was covered with water and silt thus effecting the start of the slow metamorphosis necessary for producing coal. The layers of shale also tell of the time when the region was covered by stagnant waters, sluggish enough to deposit the fine mud from which shale is formed.[15] In the county, inexhaustible coal beds underlie its entire area at a very convenient depth, there being three layers or strata of workable coal aggregating some 25 feet in thickness.[16]

Like the prairie portions throughout the state those of Menard have soils that are a dark-colored loam with a lighter colored clay subsoil. On the ridges and bluffs which skirt the streams this subsoil is found everywhere except upon the loess formation exposed at the surface of the ground. On the bottom lands the soil is an alluvial, arenaceous loam; and, excepting in localities where the sand predominates, is an excellent and productive soil.[17]

Ground water of fair quality is available, and where the supply is inadequate the construction of impounding reservoirs has taken place.[18] The average annual rainfall as recorded for the region averaged 36.65 inches, the largest monthly average being 4.10 inches in May and the least 1.84 in February. The summer rainfall is practically all of the local shower type; and, although droughty conditions sometimes prevail, the precipitation is ordinarily ample for the needs of vegetation. Sixty-one percent or 22.24 inches of the annual precipitation occurs during the crop-growing season, April to September, inclu-

14. Report on Sangamon River Basin, p. 2.
15. Douglas C. Ridgley, The Geography of Illinois, p. 17, 24,26,27.
16. R.D. Miller, Past and Present of Menard County, Illinois, p. 10.
17. Economical Geology of Illinois, II, 420.
18. Report on Sangamon River Basin, p. 21.

sive; and January is the month of greatest snowfall, averaging 5.9 inches.[19]

The climate of Menard is typical of that of central Illinois. The area lies within the principal storm tracks that cross the country and there are marked weather changes as a result - especially in winter. The summers are warm while the winters are moderately cold. During the warm periods the temperature ranges as high as in the southern counties, but there is more relief resulting from the intervening cool periods. The mean annual temperature averages about 52.8 degrees Fahrenheit. January is the coolest month with a mean temperature of 27 degrees and an average minimum of 18.4, and July is the warmest, with a mean of 76.4 and an average maximum of 88.5. The average date of the last killing frost in spring is April 22; the earliest in the fall, October 17; and the interval, which is the growing season, averages 178 days in length.[20]

Indian Occupation

Mound Builders probably lived in the area in prehistoric times, since there are evidences of them along the Sangamon River;[21] and they are considered by some anthropologists as earlier Indian tribes.[22] The Illinois Indians occupied the area for some time: and we know definitely that the Kickapoos and the Pottawattomies resided within the county limits.[23] Few of the early settlers saw Indians in the area since according to the Treaty of Edwardsville of 1819 most of the Kickapoos left the area and only a few remained in the neighborhood of Indian Point even after 1820.[24] It is not known whether any French found their way into the Menard area before its occupation by the American settlers.

19. U.S. Weather Bureau, Climatic Summary of the United States, No. 57, Central Illinois, p. 2.
20. U.S. Weather Bureau, Climatic Summary of the United States, No. 57, Central Illinois, p. 1,2.
21. Miller, History of Menard, p. 211,212.
22. John Leonard Conger and William E. Hull, eds., History of the Illinois River Valley, I, 18-28.
23. Miller, History of Menard, p. 212; Solon Justus Buck, Illinois in 1818, p. 1.
24. For a general description of the Indians in Illinois see Buck, Illinois in 1818, p. 1-12. See also Charles Kappler, comp., "Treaty with the Kickapoos", in Indian Affairs, Laws and Treaties, II, 129, and Illustrated Atlas Map of Menard County, Illinois, p. 10.

Coming of the Settlers

Early Settlements

Between 1819 and 1825 a number of settlements were established within the present limits of Menard County. The first settlers to arrive were from the Southern states, and they invariably selected sites in the timbered regions along the streams and held title to their lands by squatters' rights. The first pioneer seems to have been John Clary who, with his wife Rhoda, had migrated from Tennessee, stopping for a few weeks with relatives in Bond County, Illinois, during which time his son Robert was born. In April 1819, Clary entered land near a creek in a grove located in the southwestern part of the county near the present village of Tallula. Here Clary built what was known in those days as a "three-faced camp", and cleared a small space about it for cultivation. The Clarys, however, remained here only for a few years. Then John Clary sold his claim to Thomas Watkins who in turn sold it to George Spears. The Clarys moved to the Sand Ridge area to become prominent in the affairs of Menard County for many years, John Clary giving his name to the creek and grove he first settled on, as well as serving as one of the earliest members of the county commissioners' court. Other families that settled in the western section of Menard were the Armstrongs, Greenes, Potters, McHenrys, Pratts, and Kirbys. These families had inter-married in Kentucky, Tennessee, and southern Illinois as they trekked northward. They settled in and around Clary's Grove, Little Grove, and along Rock Creek, and some of them joined the Clarys when the latter removed themselves to the Sand Ridge neighborhood.[25]

Other settlements were started in the northeastern part of the county in the spring of 1819. In this area, named Sugar Grove because the Pottawattomie Indians made sugar there in the earlier years. Judge James Latham was the first settler. He was joined by James Boyer and James Meadows, brothers-in-law, and the Blaine family which arrived on the same day. Other settlers who came to Sugar Grove were John Jennison, William McNabb and his family, Roland Grant and his family, Benjamin Wilcox, Ward Benson, the Pentecosts from Kentucky, and the Alkires and William Engle from Deer Creek, Ohio.[26] William Engle became one

25. Thomas P. Reep, Lincoln At New Salem, p. 120; Miller, History of Menard, p. 196; Benjamin P. Thomas, Lincoln's New Salem, p. 7.
26. Miller, History of Menard, p. 197,198,199.

of the most prominent and best known men in the section. He did more, according to the Reverend R.D. Miller, for the material development and advancement of Menard County than any other man. Engle not only took an active part in the organization of the county in 1839, but he also was one of the first three county commissioners who represented the county in the state legislature, and was the first merchant in the eastern section of Menard outside of Athens.[27]

New settlements east of the Sangamon were also established at Irish Grove (named in honor of the native land of the Blaines) and Indian Point (Indian Creek). Some of the settlers in these parts were the Whites, the Williams, Archibald Kincaid, Jacob Johnston, John Moore, William B. Short, Joseph Smith from Kentucky, William Holland, Short's brother-in-law from Ohio, and Mathews Rogers from Ostego County, New York.[28]

During the 20's settlers also had reached the present historic site of New Salem. About 1825 John Cameron and James Rutledge erected a crude and primitive mill near the site, later to be the town of New Salem, and people came from a vicinity of 50 to 100 miles in every direction to have their grain ground in the mill. Such was the patronage given to this enterprise that the proprietors determined to lay out a town adjoining their small property. Accordingly, the surveyor Reuben Harrison, was employed, and in 1828 the town was duly and legally laid out and the first lot was sold January 4, 1829. Among the early settlers at New Salem, besides the millers, Cameron and Rutledge, were Jonathan Dunn, also a miller; Henry Onstot, cooper; Edmund Greer, justice of the peace; Mentor Graham, school teacher; John H. Kelso, tavernkeeper; Martin Wadell, hatter; and William Berry, Reuben Radford, Allen Richardson, William G. Greene, Dr. John Allen, Samuel Hill, and John McNamar [McNeil].[29] Abraham Lincoln arrived at New Salem in 1831 and became a clerk in Denton Offut's store. Lincoln's residence in New Salem from 1831 to 1837 has given the town an historic significance out of propor-

27. R.D. Miller, Past and Present of Menard County, Illinois, p. 54. Engle lived to a ripe old age and died March, 1870 (ibid.).
28. Miller, History of Menard, p. 201.
29. Ibid., p. 202; Illinois Department of Secretary of State, Blue Book of the State of Illinois, 1939-1940, p. 372.

tion to its actual importance;[30] for after 1839, when Petersburg, the neighboring site, became the county seat, New Salem was absorbed by it, and it was not until the twentieth century that New Salem was restored as a state park and memorial to Abraham Lincoln.[31]

James Estep was probably the first person to make a claim near or within the present city of Petersburg, in the spring of 1820 or 1821. He was followed in a few months by his brother Enoch and his father Elijah. Upon the arrival of his father, James Estep removed east of the Sangamon and located at Baker's Prairie. Elijah Estep probably erected the first shanty on the present site of Petersburg, built a small mill, which was afterward included in the city's limits, and otherwise improved the claim by erecting on it a cabin following a regular pioneer pattern. Peter Lukins and George Warburton were the original owners of the 160 acres of land on which Petersburg now stands. This tract of land was embraced in Section 14 of Township 18 North and Range 7 West. Lukins and Warburton laid out the town about 1832-33, surveying and dividing the entire 160 acres into blocks of town lots. They decided to call the town Petersburg after Lukin's christian name only after he had beaten Warburton in a game of cards called "old sledge" (something on the order of "seven up"). After waiting a number of years for the town to grow they became discouraged and sold it to Hezekiah King and John Taylor. These latter gentlemen employed Abraham Lincoln, the deputy surveyor of Sangamon County, to resurvey and plat it, which plat was admitted to record February 22, 1836. King and Taylor injected "life" into the town for it soon eclipsed New Salem. Few families resided in Petersburg up to 1836, the Davidsons and Lukins being the first. Then followed such early settlers as Richard Taylor, William Butler, Dr. John Lee,

30. For the incidents, historical and fictitious, dealing with Lincoln and New Salem, see Illinois Department of Public Works, New Salem, A Memorial to Abraham Lincoln; Albert J. Beveridge, Abraham Lincoln, 1809-1858, v. I; Thomas, Lincoln's New Salem; and Reep, Lincoln at New Salem. For a discussion of the attempt to navigate the Sangamon River and Lincoln's share in helping the steamer Talisman, reach Petersburg, see Bateman, et al., Historical Encyclopedia of Illinois, II, 641; Report on the Sangamon River Basin, p. 8; Beveridge, Abraham Lincoln, I, 118.
31. For a description of the New Salem State Park, see Illinois Department of Secretary of State, Blue Book of the State of Illinois, 1939-1940, p. 369-90.

William P. Cox, W.G. Green, Thomas Efferson, William J. Hoey, John Bennett (the first representative to the General Assembly from Menard), C.G. Brooks, Septimus Levering, Asa D. Wright, Jacob H. Laning, R.E. Bennett, James S. Carter, Adney Humphrey, John McNeely, Samuel Hill, William Bennett, Nathan Dresser, Charles B. Waldo, George W. Miles, James Taylor, Chester Moon, Thomas L. Harris, W.C. Davidson, Martin and Jordan Morris, William Hagerty, J.W. Warnsing, Jackson Davidson, Dr. John Allen, and John McNamar.[32] The town of Petersburg was incorporated February 23, 1841.[33]

Origin of Settlers, Population 1840

During the first twenty years of the settlement period the pioneers came mainly from the border regions of the South - especially Virginia, Kentucky, and Tennessee. Those arriving from the Old Northwest also were originally from the Southland - Abraham Lincoln, for example, came to Illinois from Indiana but was a native of Kentucky. The settlers after 1840 were to come in an ever increasing proportion from the Middle Atlantic and New England area and the immigrants usually originated from Germany, the Scandinavian countries, or the British Isles. The diverse origin of the settlers offers the student an excellent opportunity to study how the American frontier served as a "melting pot".[34]

Population increased slowly during the first decades of settlement. In 1830 the state had a population of 157,445 persons; and Sangamon County, of which the area of Menard was a part, had 12,960 inhabitants. When the census of 1840 was taken Menard County already has 4,431 dwellers - only somewhat less than half of the population

32. Miller, History of Menard, p. 201,283,293; Illustrated Atlas Map of Menard, p. 14.
33. L. 1841, p. 330. This act provided that the corporate powers or duties of the town be vested in and exercised by a board consisting of five trustees to be chosen and appointed as the act directed for the transaction of business. The members appointed by the legislature composing the first board of trustees of the town were James Hoey, John McNeal, William G. Spears, James Colbey, and George D. Adams (ibid.).
34. See the first figures available in the census on the states of origin of the native inhabitants of Menard and the immigrants. U.S. Secretary of the Interior, Ninth Census of the United States, 1870, v. I, Population, p. 24.

t was to have a century later (1940 - 10,663).[35]

Organization of the County

nabling Act of 1839

Menard County was one of the fifteen counties authorzed by the state legislature in the winter of 1839, and as one of the three counties cut off from Sangamon County n that year.[36] The residents of the present counties of enard, Logan, and Christian desired to have county seats earer home, and secured the cooperation of Abraham incoln, a representative to the state legislature in the 830's and chairman of the Committee on Counties.[37] The ill to create the three counties out of Sangamon was resented by Lincoln on January 16, 1839, and passed by he legislature of February 15, 1839.[38] The act defined, mong other things, the boundaries of Menard; provided for n election to be held on the first Monday of April 1839 or the purpose of electing a sheriff, coroner, recorder, urveyor, three county commissioners, a clerk of the county commissioners' court, and a probate justice of the eace; limited the period of holding office for the first fficials until August 1839 (a supplementary act of February 28, 1839 extended their tenure until the 1840 general lections); designated as election places Petersburg, ugar Grove, Huron and Lynchburg (now in Mason County) recincts; and attached Menard to the electoral district omposed of Logan, Dane (Christian), and Sangamon for the urpose of electing representatives to the General Assemly.[39]

etersburg Selected as County Seat

Benjamin Mitchell of Tazewell County, John Henry of Morgan, and Newton Walker of Fulton were appointed commissioners by the legislature to meet at Petersburg on the

35. U.S. Department of the Interior, Census Office, Compendium of the Tenth Census, 1880, Part 1, p. 57. By 1840 Menard County already had about 8 persons per square mile. See also Illinois Department of Secretary of State, Official Vote of the State of Illinois (1940), p. 9.
36. L. 1839, p. 104-7.
37. Reep, Lincoln at New Salem, p. 44; House Journal, 1838-1839, p. 177.
38. House Journal, 1838-1839, p. 217,218,354,357,362,402, 419,443,455,456,462,529,549,566.
39. L. 1839, p. 104-7, 205.

first Monday of May 1839, or within twenty days thereafter, and choose the site of the seat of justice for Menard County. It was their duty to take into consideration the convenience of the people and the state of settlement with an eye to present and future population.[40] The selecting commissioners met at Petersburg on the second Monday of May 1839, examined and explored the county, and on the eighteenth day of May located the seat of justice of Menard on the public square of the town of Petersburg.[41] The commissioners accepted a bond from John Taylor and other proprietors of Petersburg with good and sufficient security conditioned for the conveyance of the public square for the wants and use of the county according to the provisions of the law. For some unknown reason the section of the law dealing with the "conveyance provision" was misinterpreted and the county required that the town proprietors contribute $3,000 as well as the land for the public square.[42] Although a lively contest had taken place among the owners of the sites of New Market, Miller's Ferry, Huron, and Petersburg over which was to be the county seat, the first three sites were removed from Menard County when the area north of the Sangamon River and Salt Creek was attached to Mason County. When Petersburg became the county seat it had 300 inhabitants, but it rapidly grew in population and importance; and after the delimitation of Menard County in 1841 it was found to be located near the center of the county.[43]

Election Results and Procedures

At the first election held on the first Monday in April 1839 the following officials were elected: George W. Simpson, William Engle, and Joseph Watkins, members of the first county commissioners' court; James Goldsby, sheriff; Martin S. Morris, coroner; Edmund Greer, surveyor; William G. Spears, recorder; and Nathan Dresser, clerk of the county commissioners' court.[44] Jacob H. Laning was appointed treasurer by the commissioners' court and posted a bond of $1,000; and a sheriff pro tem was selected since

40. L. 1839, p. 105.
41. Commissioners' Court Record, v. 1A, p. 49, in County Commissioners' Record, see entry 2.
42. Ibid., p. 48,49. The law of 1839 ordered that the proprietors of the proposed county site give either twenty acres of land or $3,000 (L. 1839, p. 106).
43. Miller, History of Menard, p. 297,298.
44. Illinois Department of Secretary of State, Index Department, Election Returns, Returns from County Clerk to Secretary of State, 1809-1847.

"the court taking into consideration the difficulty it labours under in having no officer qualified to perform the duties of Sheriff, and the time that must necessarily elapse before the sheriff elect for the County of Menard can be commissioned and sworn into office has, therefore, ordered that James Goldsby, be appointed and required to act as sheriff, or agent of the court for the purpose of serving notices upon supervisors of road districts, summoning grand and petit jurors and to perform such other acts as may be specially required of him by the Court".[45] The first grand jurors chosen by the court on April 10, 1839 were: Amberry A. Rankin, William Stotts, James Walker, George S. Virgin, John N. Moore, William Estill, J.B. Smith, Leonard Alkire, Thomas Wynne, Elihu Bone, Justius Simmons, James White, Jr., Jonathan Masterson, Thomas Dowell, James Taylor, Charles B. Waldo, Jacob Garber, John Young, David M. Pantier, Henry Onstot, Obia Short, and James Baxter; and the first petit jury, Harrison Rankin, Jacob Williams, Elijah Scott, E.D. Power, Alexander Crawford, Westley Whipp, Walter Bracken, Stephen Stone, Ira Patterson, Archibald Kincaid, George Curry, William Gumm, Willis Watkins, Henry Krydee, Thomas Anno, Noah King, George Wilson, J.W. Simpson, Abram Bell, Washington Hornbuckle, S. Houghton, Jacob Merrill, Jonathan Colby, and Jonathan Lounsberry.[46]

During the early meetings the commissioners' court appointed Samuel Berry as the first school commissioner and Harry Riggin as collector; and their bonds of $12,000 and $6,000 respectively were approved and ordered to be entered on the record.[47] The bond of the recorder-elect, William G. Spears, was also accepted, on June 3, 1839; and at a later date the first three commissioners drew lots, in accordance with a law of March 1, 1837, to determine who would serve one, two, and three years each. George Simpson drew the one-year ticket; William Engle, the two-year; and Joseph Watkins, the three-year.[48]

For future county elections the commissioners' court divided the county into six districts and selected the judges and places of election. (See Table I) The record reads: "Whereas by the sixth section of an act of the legislature of Illinois - approved December 30th, 1826 and

45. Commissioners' Court Record, v. 1A, p. 10,11, in County Commissioners' Record, see entry 2.
46. Commissioners' Court Record, v. 1A, p. 12, in County Commissioners' Record, see entry 2.
47. Ibid., p. 12,13.
48. Ibid., p. 21,27; L. 1837, p. 103,104.

Table I: Election Districts, 1837[49]

Districts	Judges	Village	Place
Petersburg	Felix G. Green Abram Bell James Carter	Petersburg	Courtroom designated as voting place
Sand Ridge	Willis Watkins David R. Short James Berry	[?]	House of William Armstrong
Sugar Grove	William Stotts C.L. Montgomery George Blaine	[?]	House of John Wright
Indian Creek	John N. Moore Albert Bracken Isaiah Law	Newmarket	[?]
Texas	J.R. Wigginton Arthur Morrow John Young	[?]	Nelson R. Ashurst's place of election
Salt Creek	Edward Sykes Isaac Teters John Sidwells	[?]	House of James Walker

entitled "An Act to provide for the election of Justices of the Peace and Constable , it is made the duty [of] the Commissioners' Court of every new county thereafter created to divide said county into a suitable number of Justice's districts, and to appoint Judges of Election, and a time and place of holding elections therein - therefore be it ordered by the Court here that the County of Menard be divided into six Justices' Districts".[50]

As time went on it was no longer necessary to use private homes for election places since villages had grown up in the various parts of the county. The election districts and their judges in 1861 were: Petersburg, Daniel C. Brown, Elijah Taylor, and John Minor; Tallula, William L. Conover, Isaac N. Redding, and Abraham Epler; Indian Creek, Coleman Smoot, Russell Godby, and Joseph E. Killion; Sugar Grove, John Hamil, D.A. Alkire, E.L. Levering; Sand Ridge, James Altig, John T. Jones, and William Watkins; Rock Creek, James Purkapile, William C. Houghton, and James S. Purviance; and Athens, James W. Mott, William S. Colburn, and John W. Freeman.[51] The

49. Commissioners' Court Record, v. 1A, p. 23-25, in County Commissioners' Record, see entry 2.
50. Ibid., p. 23.
51. Ibid., v. 3, p. 67.

number of election precincts increased to 9 in 1876,[52] and by 1930 there were 15 election precincts in the county.[53] The procedure of voting also changed: after a decade of voting by voice the secret ballot was introduced in the county following the law of February 12, 1849.[54]

Changes in County Boundaries - Origin of County's Name

The original boundaries of the county were also changed during the first decade. In 1841 the portion of Menard north of the Sangamon River and Salt Creek was attached to the newly created county, Mason;[55] and in 1843 and again in 1847 small portions of Sangamon County were added to the southern parts of Menard.[56] The county was then bounded by Mason County on the north; by Logan, and part of Sangamon on the east; by Sangamon, on the south; and by Cass, on the west.[57] These boundaries are unchanged today. The setting off of Menard County was the sixth subdivision of this section of the state: Illinois County, 1778-1790; St.Clair County, 1790-1812; Madison County, 1812-1821; Bond County, 1817-1821; Sangamon County, 1821-

52. County Court Record, v. 5, p. 171,172, in County Commissioners' Record, see entry 2. The election precincts were: Rock Creek, Petersburg, Second Poll, Sugar Grove, Athens, Indian Creek, Greenview, Sand Ridge, and Tallula.
53. Some of the changes in the names of the election precincts after 1876 were: Little Grove Precinct was changed to Atterbury Precinct in 1902; part of Greenview Precinct was attached to Irish Grove Precinct in 1900; and the other section of Irish Grove Precinct was taken from Sugar Grove in the same year. U.S. Bureau of the Census, Thirteenth Census of the United States, Population Statistics, Supplement for Illinois, Agriculture, Manufactures, Mines, and Quarries, 1910, p. 591. The election precincts and the number of their inhabitants in 1930 were: Athens, North and South, 1,678; Atterbury, 415; Fancy Prairie, 422; Greenview, 1,008; Indian Creek, 519; Irish Grove, 502; Oakfort 550; Petersburg, North, East, and South, 3,073; Rock Creek, 385; Sand Ridge, 395; Sugar Grove, 492; and Tallula, 1,136. Population Bulletin, p. 28.
54. R.S. 1845, p. 214; Const. 1848, Art. VI, sec. 2; L. 1849, p. 71-75 (approved February 12).
55. L. 1841, p. 69-71.
56. L. 1843, p. 94; Priv. L. 1847, p. 39.
57. Illinois Department of Secretary of State, Counties of Illinois, p. 60,61.

1839; and Menard County, 1839 and following.[58]

Menard County was named after Colonel Pierre Menard (1767-1844), a French-Canadian, who came to Kaskaskia in 1790, took a prominent part in territorial Illinois politics, acted as the presiding officer of the legislative council of the Illinois Territorial Legislature until 1818, and was elected the first lieutenant governor of Illinois.[59]

Public Buildings

Courthouse

Since the county seat of Menard County was never removed from Petersburg, the first public buildings erected served the county for two decades after 1844. For the first four years of the county's existence (1839-1844) the public business was carried on in privately owned places. The first term of the county commissioners' court, for example, was held in the house of Grimsby and Levering.[60] This building, originally occupied by Septimus Levering, was first built as a storeroom. Levering moved to Springfield about the time the county seat was located at Petersburg, and it was then that the building was occupied by the county as a courthouse. The room used for holding the court sessions was small, about 20 by 40 feet, with a railing cutting off the west end for the judges and lawyers, while the east end was used for housing the audience. The place was also used for religious and political meetings.[61]

Another room used by the county was rented of John Taylor at $6 a month. It had been used by A.D. Wright, probate justice; and after 1839 was used as a courtroom. It was also occupied by the clerk, sheriff, and recorder of the county as an office.[62] On March 5, 1840, Taylor was allowed $72 for rent for the courthouse for one year,

58. Illinois Department of Secretary of State, Counties of Illinois, see maps, p. 1,3,5,6,10,11,14,22. Only a part of the area later included in Menard County was in Bond County, 1817-21.
59. Bateman, et al., Historical Encyclopedia of Illinois, I, 369.
60. Commissioners' Court Record, v. 1A, p. 1, in County Commissioners' Record, see entry 2.
61. T.G. Onstot, Pioneers of Menard and Mason Counties, Illinois, p. 176.
62. Commissioners' Court Record, v. 1A, p. 33, in County Commissioners' Record, see entry 2.

and Nathan Dresser, the commissioners' clerk, was authorized by the court to rent a room for his use as an office at the rate of $3 per month.[63]

A movement to build a courthouse was started in the year the county was established. Proposals were entertained by the court, and it appointed Boling Green, William Beekman, and A.D. Wright, agents, to enter into contract with Henry Dresser for the building of a structure. The agents were instructed to negotiate for the erection of the courthouse according to the plans and specifications adopted by the court, and Dresser in return was to receive upon completion of the building, $6,700.[64] This contract, however, was rejected by the court "because the Court believes that the Contract made by the Agents is not the same as that made by the Court with the said Dresser".[65] Evidently this difficulty was responsible for the long delay in letting out a new contract. At a special session, September 19, 1840, the court and Dresser agreed to cancel the old contract and consented to enter into a new agreement, as follows:

> The said Henry Dresser is to build said courthouse according to plans, drawings and specifications exhibited to said Court, and approved by the same, and to have said house completed by the first day of August in the year one thousand eight hundred and forty-three; He is also to have the walls of the house completed up to the square by the first day of September in the year one thousand eight hundred and forty-one, and the roof by the first day of November in the same year; he is to finish the outside of the building and lay the floors by the first day of November in the year one thousand eight hundred and forty-two, and to complete the building in every part by the first day of August in the year one thousand eight hundred and forty-three - and the Court on its part agrees to pay said Henry Dresser for building said Courthouse the sum of six thousand six hundred and forty dollars; and in order to enable the said Henry Dresser to collect and prepare his building materials in suitable time, and to pay his laborers, the said sum of six thousand, six hundred and forty dollars is to be paid in installments [amounts and dates to be paid listed]. . . . And the said Henry

63. Commissioners' Court Record, v. 1A, p. 33,92, in County Commissioners' Record, see entry 2.
64. Ibid., p. 33,39,40.
65. Ibid., p. 58.

> Dresser agrees to take as part of the first payment aforesaid the sum of two thousand dollars in cash notes made payable to the County Commissioners' Court of Menard County; and the Court on its part also agrees to make good any loss the said Dresser may sustain or any necessary expense he may be at in collecting said notes, provided he uses dire diligence in collecting the same, or does not trade off or otherwise dispose of them.[66]

The agents originally appointed by the court on behalf of the court to contract with Henry Dresser were superseded by James Goldsby, William Hoey, and John Bennett, and this time the court specifically instructed them to be guided in making the said contract in accordance with the agreement and understanding had at the present term of court between the court and Henry Dresser. On December 4, 1844 the courthouse was finally accepted and the court ordered that Henry Dresser be allowed $61 for extra work and the final settlement which amounted to $30.[67] This first courthouse was patterned after the old Kentucky barn style of architecture and was the usual type of structure built in the neighboring counties in that day.[68] During the next twenty years many items appeared in the records regarding allowances made by the court for carpenter work, painting, plastering and other general repairs.[69]

Jail

Prior to the erection of a jail in Menard County prisoners were kept in the jails of the neighboring counties - usually in Sangamon County. A typical case of this is the statement in the record "that John Pemberton be allowed seventeen dollars and fifty cents for his services and for necessary expenses incurred in carrying William Garrett to the Sangamon County jail. . . ."[70] By September 10, 1842 the court was ready to accept proposals for the building of the jail;[71] and on September 24, 1842 it

66. Commissioners' Court Record, v. 1A, p. 121, in County Commissioners' Record, see entry 2.
67. Ibid., p. 299,306.
68. Miller, History of Menard, p. 97.
69. Commissioners' Court Record, v. 2B, p. 84,89,114,122, 134,148,149,192,200,238,257,290,298,299,300,309,322, 329,377,384,537; ibid., v. 3, p. 51,120,130,151,172, 176,178,187,192,250,597, in County Commissioners' Record, see entry 2.
70. Ibid., v. 1A, p. 60.
71. Ibid., p. 202.

was "Ordered that said bid [of Mentor Graham] be accepted, upon condition that said jail be completed at the next June term of this court, and that said Graham enter into written Contract with the County for the building of the jail according to the plans and specifications agreed upon by the Court, and execute a bond to the County in the penal sum of six hundred dollars, with Samuel Hill and James Hoey as securities, conditioned for the faithful performance of said Contract".[72] William Hoey, George W. Miles, and Nathan Dresser were appointed agents on the part of the county to enter into a written contract with Graham the substance of which, when drawn up, was: (1) Graham was to construct the jail according to specifications on lot 7 in block 60, of the original plat of Petersburg, which was purchased by the county from William Engle for $40; (2) Graham was to complete the jail by June 1843; and (3) the county would pay Graham $300 in three installments[73] - "the sum of one hundred dollars in orders on the County treasurer at the next December term of this court or when all timber shall have been hewed and hauled upon the ground ready to be put up; one hundred dollars in County orders at the next March term of this Court, or when the walls of this building shall have been raised and the ceiling timbers put on and fastened down; and one hundred dollars in County orders at the next June term of this Court or when the building shall be completed according to this Contract."[74] On June 18, 1844, George Miles and William Hoey, agents, reported to the court that Graham had completed the building of the jail according to contract, whereupon the court ordered that Graham be allowed the balance due him of $275 and that his bond be given up.[75]

On July 30, 1845 the jail was damaged by fire and the court ordered a reward of $20 for the apprehension and conviction of the person responsible.[76] A week later Samuel Hill was appointed as an agent to contract with Renkin Ratford and William Beekman for making the necessary repairs and enlarging the jail to afford quarters for the jailor.[77] For this work, labor, and materials Ratford

72. Commissioners' Court Record, v. 1A, p. 203, in County Commissioners' Record, see entry 2.
73. Ibid., p. 203,204,251,293.
74. Ibid., p. 203,204.
75. Ibid., p. 281.
76. Ibid., p. 333.
77. Ibid., p. 334.

and Beekman were to receive $510.[78]

Other Administrative Duties of the Commissioners' Court, 1839-1849

In addition to dealing with the problems connected with the establishment of the county seat and the erection of public buildings, the commissioners' court was charged also with the care of roads and bridges, the county poor, and county finances. These duties were not too onerous in spite of the fact that the scope of control exercised by the court was greater during the formative years than at any later period. Once the machinery to deal with local transportation, public welfare, and finance was set up, the subsequent developments were largely influenced by the growth of the population in the county.

Roads, Ferries, and Bridges

Next to the acquisition of cheap land, the subject most dear to the heart of the average frontier farmer was the building of roads, bridges, and other means of transportation that would allow him to bring his produce to market. The state law concerning public roads of 1827 vested with the commissioners the general superintendency over the public roads within the county. The commissioners were authorized to lay out the county into road districts and to appoint road supervisors. They also were given the power to order all able-bodied males between the ages of 18 and 50 to perform road work or pay 75 cents for an 8-hour day, 5 days a year or less. Whenever the commissioners received a petition from at least 35 voters on the subject of opening a new road or closing a useless road, they were authorized to appoint viewers, hear their report, and accept or reject the views expressed.[79]

In accordance with the provisions of this and subsequent road laws the county officials in Menard proceeded to deal with the problem of transportation. At the first meeting of the commissioners' court the county was divided into eleven road districts. The respective supervisors were Andrew Beard, Charles Clark, Jack Clary, William Watkins, Gaines Berry, Matthew Young, John Hornback, Coleman Smoot, John Wright, Edward Sykes, and Thomas Blunt.[80] As the population waxed, the number of road districts in-

78. Commissioners' Court Record, v. 1A, p. 334 in County Commissioners' Record, see entry 2.
79. R.L. 1827, p. 340-46.
80. Commissioners' Court Record, v. 1A, p. 3-9, in County Commissioners' Record, see entry 2.

creased, until they were 25 in 1866.[81] The first recordation pertaining to roads reads as follows: "Thomas Smedley presented to the Court a petition praying that a road be opened leading from Petersburg to the house of John Watkins thence to the bridge over Clary's Creek below Brady's and Drake's Mill, thence till it intersects the Millers' ferry road, thence continuing with said road to D. Calloman's house, thence to the meeting house in the west end of Clary's Grove, thence to the Cass line."[82] The prayer of the petitioners was granted, and Thomas Arnold, J.E. Simpson, and John Watkins were appointed viewers.[83] Some of the early roads in the county were from Petersburg to the Cass County line; Petersburg to the Morgan County line; Petersburg in the direction of Pottsville; Petersburg to the east line of Menard; Petersburg toward Carlinville; Petersburg to Middletown; the northern line of the county (from Atkins) to Pekin crossing Salt Creek; and Petersburg in the direction of Lancaster, Cass County.[84]

Varying demands for road taxes and days of road labor were made of the citizenry of Menard from year to year. Road taxes ranged from eight cents per $100's worth of property in 1842 to fifteen cents in 1859; and from two to four days labor during those same years.[85]

Menard County was created too late for the inhabitants to benefit from the rather ambitious internal improvements program of 1837;[86] and the proceeds the county received from the sale of swamp and overflowed lands was used for railroad purposes.[87] Besides roads as an agency for transportation there were other methods which facilitated trade, commerce, and social intercourse. Jacob Bales, George May, George G. Miller, and John Taylor had ferry rights along different points on the Sangamon River. Bales was granted a license to keep a ferry across the

81. Commissioners' Court Record, v. 3, p. 403, in County Commissioners' Record, see entry 2.
82. Ibid., v. 1A, p. 35.
83. Ibid.
84. Ibid., p. 36,37,38,42,44. See also p. 47,52,60,63, 64,69,71,74,129,157,158,273,277,278 and 460.
85. Ibid., p. 87,140,180,314,359; v. 2B, p. 48,182,228, 346,400,440.
86. L. 1837, p. 121-51.
87. See L. 1852, Second Sess., p. 178-86; Commissioners' Court Record, v. 2B, p. 476,486,570,571; v. 3, p. 252,265,321,352, in County Commissioners' Record, see entry 2.

Sangamon at New Salem. The ferry rate schedule set up for him by the court allowed him 12½ cents for ferrying a man and a horse; 6-1/4 cents for each footman or single horse; 5 cents for each head of neat cattle; 2 cents for every sheep and hog; 50 cents for every four-horse wagon and team; 75 cents for every six-horse wagon and team; and 25 cents for every two-horse wagon or pleasure carriage. In the event the Sangamon should overflow its banks the ferriage rates were to be doubled. Bales was assessed $2.50 per annum to operate his ferry, which fee he paid in to the court for the first year.[88]

May's and Miller's ferries were at Lynchburg and Huron on the Sangamon and Taylor's ferry was at Petersburg.[89] Taylor's grant contained a proviso that he was in no way to obstruct the proposed building of a bridge over the Sangamon at or near the place of ferrying, and that he was not to demand damages from the county for any loss he should sustain in the profits of operating the ferry by reason of the erection of the bridge. Taylor was allowed to demand and receive practically the same rates of ferriage as Bales.[90]

The bridge at Petersburg over the Sangamon, mentioned in the Taylor ferry grant, was built by John Wright. Wright began to build the bridge in the summer of 1839, and completed it in the late winter of 1841. The contracted sum of $4,000 due Wright was paid in installments.[91]

A toll bridge was erected, by a special act of the legislature in 1841 across Salt Creek "at a point known as Day's Ferry." The toll rates were: for each two-horse wagon drawn by two horses or one yoke oxen, 25 cents; every additional yoke of oxen or a pair of horses, 12½ cents; each horse and wagon or carriage, 18-3/4 cents; each man and horse, 12½ cents; each head of hogs, sheep, or goats, 1 cent; each head of cattle, horse, mules, or asses, 3 cents; and each footman, 6 cents.[92]

Other bridges were constructed in the county during the ante bellum period. There were bridges over Clary's

88. Commissioners' Court Record, v. 1A, p. 18, in County Commissioners' Record, see entry 2.
89. Ibid., p. 18,21,22,29.
90. Ibid., p. 29.
91. Ibid., p. 33,39,55,143.
92. Ibid., p. 41; L. 1841, p. 44.

Creek;[93] over the Sangamon at or near the Sangamon ford on the road passing from Petersburg to Bath in Mason County;[94] and over the Sangamon east of the town of Petersburg.[95] The navigation of the Sangamon by steamboat was given up after numerous attempts to do so failed.[96] With the coming of the "iron horse" in the 1860's, the program of internal improvements centered mainly around roads and railroads.

Public Welfare

The care of the needy in the earlier period of the county's history, much in the same manner as the problem of internal improvements, was vested in the hands of the local authorities. The poor law of 1833 provided that the justices of the peace, together with a person appointed by the county commissioners, should act as the overseers of the poor. Their duty was "diligently to inquire after all such persons. . . .unable to earn a livelihood in consequence of any bodily infirmity, idiocy, lunacy, or other unavoidable cause and to provide for them the necessary comforts of life, by confiding the care of such poor person or persons to some moral and discreet householder or householders in the district, of sufficient ability to provide for them."[97] The law also authorized the commissioners' court to establish a poorhouse - in which case the powers of the overseers of the poor were to be curtailed.[98]

During the first years and, in isolated cases, after the purchase of a poor farm, each pauper was given individual consideration by the commissioners.[99] The case of the Broadwells is spread over the records in great detail. After the commissioners' court was satisfied, following a thorough medical examination, that David Broadwell was unable to support himself and his wife, it attempted to contact his brothers and sister, "all living in Sangamon County who are abundantly able to support the said

93. Commissioners' Court Record, v. 1A, p. 22.
94. Priv. L. 1849, p. 13,14.
95. Commissioners' Court Record, v. 2B, p. 118,129.
96. Report on the Sangamon River Basin, p. 8.
97. R.L. 1833, p. 480, as amended in L. 1839, p. 138.
98. L. 1839, p. 138-40.
99. Commissioners' Court Record, v. 1A, p. 13,14,34,66, 100,284, in County Commissioners' Record, see entry 2.

David."[100] Apparently the relatives did not respond in spite of the threat "to start suit to collect the forfeiture incurred by them in refusing to support their brother as the law directs,"[101] for the court again and again voted money for food, clothing and shelter for the family, and made provisions to bind them out to various inhabitants in the county.[102]

An interesting way of paying a citizen of the county for the care of a poor man occurred in 1839. The record tells us that

> some time in the month of July last one William Ross a poor man, late of New York came into this County, and was shortly taken sick and died; and. . . T.S. Braman at whose house the said Ross died, has this day made application to this court for an allowance for nursing and taking care of said Ross, during his sickness, therefore be it Ordered by the Court that the said Braman be allowed to retain the clothing of said Ross (valued at $10.62½) in part payment of his demand; and also that he take and collect a note on A.D. Wright and George D. Adams for twenty-five dollars (given for a rifle owned by said Ross) in full satisfaction for his demand, provided that said Braman pay three dollars out of these allowances to Doct. McNeill in part payment to the said McNeill for his attendance on said Ross.[103]

By 1855 the number of needy persons had increased sufficiently to warrant the purchase of a poor farm and the building of a poorhouse. On January 12, 1855 the court purchased the farm of Samuel Hill for $2,295, to be used as a poor farm;[104] and six months later Diedrich Fisher was awarded the contract to build a poorhouse for $1,000.[105] It was completed by December 5, 1855 and the bid of Ira McGlasson to rent the farm at $2 per acre of farming land and keep the paupers at $1.50 per week each

100. Commissioners' Court Record, v. 1A, p. 14, in County Commissioners' Record, see entry 2. See also p. 29, 30,31.
101. Ibid., p. 51.
102. Ibid., p. 65,174.
103. Ibid., p. 50.
104. Ibid., v. 2B, p. 262.
105. Ibid., p. 284.

was accepted.[106] From 1855 on, the poor farm was annually rented out to the person who was the successful bidder. Among the early lessees were F.G. Davis (1857-1858); John L. Ford (1858-1859, but he was released from his contract); and James W. and P.N. Terry (1858-1859).[107] The procedure of admission to the poorhouse was also systematized in 1855, W.H. McAlister and Cornelius Rourke being appointed a committee of examination. All applications for admission to the poorhouse were to be made to them and their decisions were to be final. No pauper was to be admitted without a written order from McAlister and Rourke; and upon discharging a pauper the keeper of the poor was to report to them.[108] The same general practice continued for many years.

County Finances

The brevity and simplicity of early financial reports to the commissioners' court reveal the frontier conditions existing in Menard. In 1839, receipts and expenditures were only $1,960.43 and $1,906.18 respectively; and the county tax levy for the year was thirty cents on every one hundred dollars' worth of taxable property.[109] The tax on land was based on the abstract from the state auditor's office containing a list of lands subject to taxation within the limits of the county.[110] During the first few years (1839-1844) the county was divided into three districts for the assessments of real and personal property and assessors were appointed by the court. The first assessors in the county were George Spears, assessor's district no. 1; Jacob C. West, assessor's district no. 2; and Smith Turner, assessor's district no. 3.[111] After 1844, these duties were assigned to the county treasurer who continued to function as county assessor until 1872.[112]

No more telling way of expressing the growth of material prosperity of the county in the early years can probably be found than making a comparison of the figures in the assessment reports, tax levies, and receipts and

106. Commissioners' Court Record, v. 2B, p. 300, in County Commissioners' Record, see entry 2.
107. Ibid., p. 235,372,382. See also v. C, p. 106.
108. Ibid., v. 2B, p. 399,400.
109. Commissioners' Court Record, v. 1A, p. 26,104, in County Commissioners' Record, see entry 2.
110. Ibid., p. 13.
111. Ibid., v. 1A, p. 12,13. See also p. 8.
112. L. 1844, p. 5.

expenditures of the first two decades after the county was organized. The assessment reports from 1841 to 1862 reveal an increase in the value of personal and real property in the county from $758,697.43 to $2,519,115. (See Table II). The individual items included in the taxable

Table II: Total Assessed Value of all Property, 1841-1862[113]

Year	1841	1845	1852	1856	1862
Amount	$758,697.43	$696,752.12	$1,139,146.16	$2,755,404.13	$2,519,115.00

property lists show such personal property as horses, cattle, sheep, hogs, wagons, clocks and watches, merchandise, bankers' property, manufacturing articles, and monies and credit. (See Table III).

Table III: Value and Kind of Personal Property, 1853-1860[114]

ITEMS	1853		1859		1860	
	No.	Value	No.	Value	No.	Value
Horses	3,421	$ 167,026	4,784	$ 239,168	5,084	$ 252,220
Neat Cattle	8,761	110,291	9,560	106,420	9,649	112,299
Sheep	9,553	9,603	5,251	5,251	5,273	5,273
Mules and Asses	167	11,417	581	35,990	467	27,590
Hogs	18,829	60,029	19,199	55.237	15,683	60,831
Wagons	993	39,201	1,434	51,865	1,414	46,064
Clocks and Watches	801	55,209	1.141	8,669	1,064	7,368
Merchandise		63,110		54,250		46,150
Bankers Prop.		2,500				
Manufacturing Articles		5,563		5,150		3,765
Pianos			9	1,150	8	1,000
Monies and Credit		154,013		221,202		177,424
Bonds, Stocks, etc.		3,000		1,175		5,350
Unenumerated		59,796		90,444		81,867
Total - Personal		665,722		849,083		795,043
Real - Lands		1,287,332		1,990,988		1,998,740
Town Lots		111,731		277,135		283,855
All Property		2,064,785		3,117,206		3,077,638

113. Commissioners' Court Record, v. 1A, p. 168,346; v. 2B, p. 169,335; v. C, p. 121, in County Commissioners' Record, see entry 2.

114. Commissioners' Court Record, v. 2B, p. 218,484, in County Commissioners' Record, see entry 2. Illinois Auditor of Public Accounts, Biennial Report to the Twenty-Third General Assembly, p. 40,42,44,46,48,50.

County, state, school, road, and other taxes also increased during the period from $3,833.88 in 1845 to $47,914.31 in 1860. (See Table IV) Bills of the State

Table IV: Tax Levies, 1845-1860

Year	Type of Tax	Amount
1845	County	1,747.45
	State	2,086.43
1852	County	4,566.01
	State	6,858.13
	Road	147.05
	School	227.89
1855	County and State	23,861.48
	Road	293.18
	School	4,369.59
1860	County	16,311.48
	State	14,464.90
	School	6,155.27
	Special	10,982.66

Bank of Illinois, of the Bank of Illinois at Shawneetown, and of all solvent banks of other states, and auditors' warrants at their current values in gold and silver were accepted in payment of taxes since it was impossible to collect revenue in gold and silver, "there being a scarcity of that coin"[115] - a condition not uncommon in frontier communities. The rise in taxes is explained in part by the increase in county expenditures. In 1839 the county spent only $1,906.18. By 1850 no appreciable increase had taken place; in fact less was spent. Eight years later, however, the county budget required $10,221.30 to satisfy the expenses incurred.[116]

Early Economic Development

Economic and social institutions, like political forms and ideas, were transplanted by the settlers and immigrants from their old homes. As population doubled in

115. Commissioners' Court Record, v. 1A, p. 218, in County Commissioners' Record, see entry 2. In the tax payment order of January 31, 1846 the court ordered that the notes of the Bank of Kentucky may be accepted. The specific reference to the bank of that state is very significant and speaks volumes for the influence of Kentucky in the formative period of Illinois history.
116. Ibid., p. 104; v. 2B, p. 85,437.

Menard County during the first two decades of its existence, and agriculture and business began to flourish, schools and churches appeared throughout the county. By 1860, orderly society was firmly established in Menard County.

Growth of Population, 1840-1860

During the first two decades the number of inhabitants in Menard County increased from 4,431 in 1840 to 9,584 in 1850.[117] In 1850 there were 6,349 persons in the county of whom 6,100 were native-born, and 249 foreign-born. This small percentage of foreign-born in 1850 (only 3.9 percent of the total population) rapidly increased; and in 1860, out of a total population of 9,584, 939 or 9.89 percent, were foreign-born.[118] The inhabitants born outside the state but in the United States originated mainly in Kentucky, Ohio, Indiana, New York, and Pennsylvania; and those born outside the United States came mainly from the German Empire, Ireland, the Scandanavian countries, and Great Britian.[119]

Accompanying the increase in population was the incorporation of the town of Petersburg[120] and the villages of Tallula, Athens, Greenview, and Oakford. Tallula was laid out in 1857 by W.G. Greene, J.G. Greene, Richard Yates, T. Baker, and W.G. Spears. Spears named the site Tallula after the Indian words meaning "dropping water." It was incorporated as a village under the general law of 1871-72.[121] Athens was surveyed and platted in 1831 by James Stevenson, Sangamon county surveyor, for the Reverend John Overstreet. The original plat contained about forty acres to which four additions have been made. It was incorporated as a village February 8, 1859.[122] Greenview was laid out by William Engle October 2, 1857. The land was originally owned by Charles L. Montgomery, and it was named after William G. Greene, a prominent

117. U.S. Department of the Interior, Tenth Census of the United States, 1880, v. I, Population, p. 57.
118. U.S. Secretary of State, Statistical View of the United States, A Compendium of the Seventh Census, 1850, p. 218,219; U.S. Secretary of the Interior, Eighth Census of the United States, 1860, v. I, Population, p. 79,83.
119. U.S. Secretary of the Interior, Ninth Census of the United States, 1870, v. I, Population, p. 23,351.
120. L. 1841, p. 330-34.
121. Miller, History of Menard, p. 325.
122. Ibid., p. 340.

citizen of Menard County and one of the founders of Tallula. Greenview was incorporated as a village under a special act of the legislature, May 6, 1869.[123] Oakford was surveyed and platted by A.J. Kelly, county surveyor, for the proprietors William Oakford and William Colson in March 1872, Oakford having been given half of the land by Colson for securing the passage of the railroad through the proposed town.[124]

Agricultural Advance

The inhabitants of Menard County were engaged mainly in agriculture and business in the ante bellum period. Very little of the area of the county was unsuitable for agriculture since 83.2 percent of its land belonged in the upper half of the productive capacity scale as far as the major crops grown in central Illinois were concerned.[125] The chief cereal crops grown were corn, wheat, oats, rye, and buckwheat. Other agricultural products were beeswax and honey, potatoes, hay, various dairy and poultry products, as well as a variety of vegetables. (See Table V and VI). The pioneers also tried their hand at raising

Table V: Bushels of Cereal Grains, 1840-1860[126]

Crop	1840	1850	1860
Corn	399,900	1,280,206	1,544,810
Wheat	21,671	69,106	78,272
Oats and Rye	55,555	129,107	90,896
Buckwheat	100	389	1,280

123. Miller, History of Menard, p. 353.
124. Ibid., p. 381; Onstot, Pioneers of Menard, p. 241. The town of Greensburg was vacated in 1849 (Priv. L. 1849, p. 111).
125. University of Illinois, Information Pertaining to Farm, Home and Community, p. 9.
126. U.S. Secretary of State, Compendium of the Enumeration of the Inhabitants and Statistics of the United States, 1840, p. 299,300; U.S. Secretary of State, Statistical View of the United States, A Compendium of the Seventh Census, 1850, p. 220-23; U.S. Secretary of the Interior, Agriculture of the United States in 1860, p. 34-37.

tobacco and succeeded in growing 1,299 pounds in 1840; 250 in 1850; and 3,373, in 1860.[127] Moreover, from the earliest settlements of the county up to the deep snow of 1830-31 cotton was cultivated and proved profitable. After the deep snow, however, there was a perceptible change in the seasons, and the cultivation of cotton was almost wholly discontinued.[128]

Table VI: Other Agricultural Products, 1840-1860[129]

Products	1840	1850	1860
Pounds			
Wool	11,242	31,752	19,628
Beeswax and Honey	602	4,818	11,847
Potatoes	13,352	8,745	21,230
Butter and Cheese		129,974	143,947
Maple Sugar		500	3,768
Flax		1,315	
Tons			
Hay	1,299	3,447	7,743
Hemp and Flax	5¼		
Bushels			
Clover and other Grass Seeds		102	957
Dollars			
Nursery and Florist Produce	310	9,608	8,221
Market Gardeners Produce	2	200	1,906
Dairy Products	1,171		

127. U.S. Secretary of State, Compendium of the Enumeration of the Inhabitants and Statistics of the United States, 1840, p. 300; U.S. Secretary of State, Statistical View of the United States, A Compendium of the Seventh Census, 1850, p. 222; U.S. Secretary of the Interior, Agriculture of the United States, 1860, p. 36.

128. Illustrated Atlas Map of Menard County, p. 10,11.

129. U.S. Secretary of State, Compendium of the Enumeration of the Inhabitants and Statistics of the United States, 1840, p. 299,300; U.S. Secretary of State, Statistical View of the United States, a Compendium of the Seventh Census, 1850, p. 220-23; U.S. Secretary of the Interior, Agriculture of the United States in 1860, p. 34-37.

Animal husbandry was another branch of agriculture xtensively pursued by the farmers of Menard. (See Table II) By 1860 the value of livestock products was 771,731; the value of animals slaughtered was $43,383 in 850 and $81,849 in 1860; the total acreage of farms increased from 111,489 in 1850 to 153,786 in 1860; and the alue of the farms and their buildings rose from 1,181,991 to $3,608,417.[130]

Table VII: Number of Livestock, 1840-1860[131]

Kind	1840	1850	1860
orses and Mules	2,394	3,520	3,977
eat Cattle	7,096	10,678	11,264
heep	6,244	12,160	6,548
wine	23,000	25,194	23,972

usiness Activities

The early businesses in the county were largely ependent upon the agricultural needs of the inhabitants. ills to grind corn and cut timber were established hroughout the county in the 20's and 30's. The first illing establishment in Petersburg was probably a saw ill built by a man named Dorrell from Prairie Creek.[132] t was subsequently supplanted by a finer one operated by he Wright brothers. John Taylor also established a saw ill in Petersburg about the year 1836.[133] Other early ills in the county were: John Cameron's and James utledge's at New Salem;[134] and Deal Hughes' at Sweetater.[135]

Blacksmith shops, groceries or taverns, and general

130. U.S. Secretary of the Interior, Agriculture of the United States in 1860, p. 34-37.
131. U.S. Secretary of State, Compendium of the Enumeration of the Inhabitants and Statistics of the United States, 1840, p. 299,300; U.S. Secretary of State, Statistical View of the United States, a Compendium of the Seventh Census, 1850, p. 220-23; U.S. Secretary of the Interior, Agriculture of the United States in 1860, p. 34-37.
132. Illustrated Atlas Map of Menard County, p. 14.
133. Ibid.
134. Onstot, Pioneers of Menard, p. 157.
135. Miller, Past and Present of Menard, p. 51.

merchandise stores were also opened very early in the county's history. Jordan Morris was located at Petersburg;[136] Hugh Hicks at Tallula;[137] and Jacob Probst at Sweetwater.[138] Grocery or tavern licenses were granted to Chester Moon and George D. Adams,[139] as provided in "An Act regulating Tavern and Grocery license," approved March 2, 1839.[140] This law stated that the county commissioners may grant licenses to keep groceries [taverns] upon these conditions: (1) the license fee was to be not more than $300 or less than $25, depending upon the discretion of the court; (2) the applicants were to execute bonds in the penalty of $500 that they would keep an orderly house and would not permit gaming or riotous conduct; (3) the court could reject or grant licenses to keep groceries upon its discretion and revoke any license when it was satisfied that the privileges granted had been abused or that the person to whom the license was granted had violated the law; (4) no person holding a grocery license was permitted to sell or vend spiritous or vinous liquors in more than one place or house and was required to describe the house and place he intended to occupy; (5) the president and the trustees of the incorporated towns were given the exclusive privilege of granting licenses to groceries within their incorporated limits but all sums of money belonged to the county treasury; and (6) a majority of the voters in a county, justice's district, incorporated town, or ward in any city had the privilege, by petition, of asking the court to prohibit the sale of liquors within their bounds. Merchandise stores in the county were run by G.A. and Q.G. Davidson, William J. Hoey, Nathan Dresser,[141] Thrapp and Spears,[142] Potter and Penfield, and Lubman and Stern.[143] Other businessmen and artisans in the county were Peter Lukins and Alexander Ferguson, shoemakers; W.C. Davidson, harnessmaker; Carter and Humphrey, dealers in furniture and general cabinet

136. Illustrated Atlas Map of Menard County, p. 14.
137. Miller, Past and Present of Menard, p. 51.
138. Ibid., p. 59.
139. Commissioners' Court Record, v. 1A, p. 18,92, in County Commissioners' Record, see entry 2.
140. L. 1838-39, p. 71,72. The law defined a "grocery" as "all houses and places where spiritous or vinous liquors are retailed by less quantities than one gallon".
141. Illustrated Atlas Map of Menard County, p. 14.
142. Miller, Past and Present of Menard, p. 51.
143. Commissioners' Court Record, v. 1A, p. 173; v. 2B, p. 335, in County Commissioners' Record, see entry 2.

ware; and Atchison and Miles, liverymen.[144]

The census of 1840, taken a year after the county was established, portrayed statistically the business activities of the citizens of Menard, The census listed 10 retail stores, dry goods, grocery, and others. Home-made or family goods amounted to $3,294, the capital invested was $23,850, and the number of men employed were 16. Ginseng and other "productions of the forest" were worth $695; and the manufactured articles, like granite and marble, bricks and lime, wool products, and leather and saddleries totalled $6,805. Distilled and fermented liquors were produced in 3 distilleries where 5 men were employed, the capital invested being $2,000, and the gallons produced, 3,150. Five men were engaged in making wagons and carriages worth $1,900; and 21 men worked in 3 flouring, 7 grist, and 10 saw mills in which $17,000 was invested producing goods valued at $16,800. Of the 11 "constructed" houses in the county 2 were made of brick and stone and 9 were wooden houses. Other manufactures not enumerated were worth $5,358; and the total capital invested in their production amounted to $21,000.[145]

In 1850 the total value of homemade or family goods was $15,758. The number of employees engaged in the various manufactories were 132; the annual products amounted to $176,196; and the total capital invested in manufacturing was $53,961.[146] By 1860 the value of the annual products had risen to $239,133 and the capital invested in manufacturing, to $95,010; the number of employees, however, declined to 107. The number of establishments was 37, the wages paid amounted to $34,512, and the value of the materials in the establishments was $165,400. (See Table VIII)

144. Illustrated Atlas Map of Menard County, p. 14; Onstot, Pioneers of Menard, p. 152.
145. U.S. Secretary of State, Compendium of the Enumeration of the Inhabitants and Statistics of the United States, 1840, p. 302,303,305,306,308,309.
146. U.S. Secretary of State, Statistical View of the United States, A Compendium of the Seventh Census 1850, p. 223.

Table VIII: Manufacturing Establishments, 1860[147]

Manufactures	No. of firms	Capital	Wages	Cost of Materials	Value of Products	No. of Employees
Carriages and Wagons	4	$1,600	$2,700	$ 2,390	$ 6,350	9
Flour Mill Products	7	48,000	10,644	121,535	145,926	30
Furniture	4	3,800	3,240	2,306	9,298	8
Lumber	10	19,260	7,104	10,907	31,322	26
Saddlery and Harness	1	1,000	840	1,100	3,300	3
Woolen Goods	1	5,000	2,688	14,000	17,000	8
Agricultural Implements	2	4,500	2,580	1,843	8,650	6
Boots and Shoes	2	2,150	-960	1,393	2,337	4
Steam Engines	1	1,500	960	200	1,550	2
Pottery Ware	1	200	960	202	900	4
Woolen Carding	1	5,000	396	8,000	9,500	2
Sorghum Syrup	1	1,200	240	324	600	1
Others	2	-	-	-	-	4

Early Social Institutions

Educational Progress, 1820-1869

The establishment of schools and churches followed soon after the clearance of the first farms and the growth of early businesses. The frontier schools were usually constructed by the citizens of the locality who were anxious that their children should be taught to read, write, and cipher. One of the first schoolhouses was built in Sugar Grove in the early 1820's by Messrs. Meadows, Boyer, Wilcox, McNabb, and Grant. It was constructed of split logs and was about 16 feet square. This house was furnished in the same fashion as all schoolhouses in the early settlements of the country, and was covered with boards held in their places by "weight poles." The floor was made of split logs. The seats were half logs 10 or 12 feet long with four pins set in for legs. A log was left out along one side of the building for a window beneath which a slab was laid on two pins in a slanting position to serve as a writing desk. The text-

147. U.S. Secretary of the Interior, Eight Census of the United States, 1860, v. III, Manufactures, p. 99.

books were few in number, and the teachers made all the pens of goose quill. The books used were the New Testament for a reader, with occasionally a copy of the old "English Reader;" Pike's or Smalley's arithmetic; Murray's and Kirkham's grammar; Webster's old speller or the Elementary; and a "home book" - a wooden paddle with the alphabet pasted on it for young children. Another early schoolhouse, reputed to be the first in the county, was the one built at Clary's Grove in 1820.[148]

Some of the early teachers in the schools were Robert Armstrong at Clary's Grove,[149] and James McNabb, Daniel McCall, and a Mr. Templeman at Sugar Grove.[150] The first county school commissioner was Samuel Berry who resigned September 4, 1839 and was succeeded by Thomas Wynne.[151] Other school commissioners from 1840 to 1865 were: Charles B. Waldo, Tilman Hornbuckle, Thomas L. Harris, Francis Regnier, John C. Sey, John Tice, M.B. Harrison, J.H. Pillsbury, John Hill, and Edward Laning.[152]

During the first decade no public school was established although certain school funds were paid over by the officials of Sangamon County to the school commissioners of Menard. The schools existed on the basis of the subscription plan and it was common for the people of the neighborhood to select someone of their number to examine and pass on the qualifications of the applicant to teach.[153] In 1850, 655 pupils were enrolled in the public schools and 65 in the private schools. Of the 2,700 youths between the ages of 5 and 20 in the county,[154] 1,689 white scholars attended some school during the year.

Although various state laws had been passed dealing with a system of public instruction, the first comprehensive act was the school law of 1855. Embodying the principal suggestions of the memorial presented to the state legislature in 1844 by J.S. Wright of Cook County, H.W.

148. Miller, History of Menard, p. 51,200.
149. Illustrated Atlas Map of Menard County, p. 11.
150. Miller, Past and Present of Menard, p. 17,57.
151. Commissioners' Court Record, v. 1A, p. 13,57, in County Commissioners' Record, see entry 2.
152. Illinois Department of Secretary of State, Index Department, Election Returns, Returns from County Clerk to Secretary of State, 1809-1847.
153. Miller, History of Menard, p. 253,254.
154. U.S. Secretary of State, Seventh Statistical View of the United States, A Compendium of the Seventh Census, 1850, p. 218,219.

Wood of Fulton, and D.J. Pinkney of Ogle, the law provided for a state superintendent of schools; for a system of county superintendent of schools; and for local taxation sufficient to keep open a free school in every district at least three months a year.[155] By 1869 there were 59 school districts; 60 public schools in Menard County and 2 private schools; 85 teachers; 3,149 public-school and 18 private-school pupils; and 417 volumes in school libraries. The total expenditures for school purposes for the year ending July 1, 1869 amounted to $25,110.64, and the total value of school property was $198,605.89.[156]

Churches

Religious organizations were established in the county area almost as soon as the settlers arrived, although church buildings, like schoolhouses, were not erected until after the inhabitants had established themselves. "The early preachers", writes the Reverend R.D. Miller, "were ignorant men, who were accounted eloquent according to the strength of their voices. But they set the style for all public speakers. Lawyers and political speakers followed this rule. Governor Ford says: 'Nevertheless, these first preachers were of incalculable benefit to the country. They inculcated justice and morality. To them we are indebted for the protestant portion of the people'."[157]

The very early days of the county's history saw at least five different denominations at work. These were the Regular, Hard-Shell or Calvinistic Baptists, Separate or Missionary Baptists; Methodists; Disciples of Christ, New Lights or Campbellites; and the Cumberland Presbyterians. The Methodists had the honor of initiating religious work in the county. A group of this denomination was organized in 1820, where Athens now stands. The Reverend James Stringfield was the first local Methodist preacher to settle in the area. He came in the early 1820's, and in all probability formed the above congregation. In 1821-22 a regular circuit was formed including the Methodist groups in Menard; the Reverend Isaac House was the first circuit rider. In 1825 the Methodists built

155. Samuel Willard, "Brief History of Early Education in Illinois", in Illinois Department of Public Instruction, Fifteenth Biennial Report, 1882-1884, p.cxvii.
156. Illinois Department of Public Instruction, Eighth Biennial Report, 1869-1870, p. 290,291,294,298,306, 345.
157. Miller, History of Menard, p. 106.

one of the first churches in the county on the farm of Harry Riggin.[158]

The first Baptist church organization in the county was the Clary's Grove Baptist Church. It was organized December 25, 1824 and the committee consisted of William P. Crow, William Rollins, and James Bradley. The first pastor was the Reverend Jacob Gum; Robert Conover was the first clerk of the church board. This church became the center of religious influence in the county and was followed by the Baker's Prairie Petersburg churches.[159] The progress of the Baptist denomination was hindered by unusual obstacles, such as the influence of the fiery Georgia preacher, the Reverend Daniel Parker. He was known as an anti-mission man because of his opposition to missionary work. This view seriously handicapped the spread of the Baptists, and it was a relief to them when Parker took a group of his followers and left for Texas.[160]

The Reverend John Alkire, Hughes, and Abner Peeler were the early divines of the New Light or Christian church. A congregation of the faith was organized in quite an early day. It first worshipped in a house that stood near the home of Gregory Lukins. The former building was also used for school purposes. In 1838 a new church was built, and ten years later it was replaced by a brick edifice on the same site. After the village of Sweetwater was laid out the church was converted into a private dwelling, and the religious society erected a large and substantial brick church in the village.[161] The earliest extant records are of 1851. At this time the church had 46 members.[162]

In the early 1820's a group of the Cumberland Presbyterian church was organized by the Reverend John McCutchen Berry in Sugar Grove. There is no date given for the origin of this church but it antedated the year when the county was organized.[163] Of the Concord Cumberland Presbyterian Church established in 1830 Edgar Lee Masters, who

158. Miller, History of Menard, p. 220,226.
159. Ibid., p. 222; Miller, Past and Present of Menard, p. 51.
160. Edward P. Brand, Illinois Baptists, A History, p. 54,68,81,111.
161. Miller, Past and Present of Menard, p. 58.
162. Nathaniel S. Haynes, History of the Disciples of Christ in Illinois from 1819-1914, p. 327.
163. Miller, History of Menard, p. 231.

spent his first year in Petersburg, writes:

> Better than granite, Spoon River,
> Is the memory-picture you keep of me
> Standing before the pioneer men and women
> There at Concord Church on Communion day.
> Speaking in broken voice--
> While the white stones in the burying ground
> Around the church shimmered in the summer sun.[164]

The Reverend John G. Bergen, D.D., organized the North Sangamon Presbyterian Church in Menard County on May 20, 1832. Thirty-two members worshipped in the old Cumberland Church until 1844 when they built a church 28 x 36 feet. The Reverend Samuel Foster became the first pastor in 1833. Dr. Bergen also organized several other churches in Menard County and its vicinity, including the Sugar Grove and Lick Creek churches in 1833, Farmington Church in 1834, the Second Presbyterian Church in Springfield in 1835, and a church in Irish Grove in the same year. His salary was $400 until 1837 when it was raised to $600. After twenty years of service Dr. Bergen retired.[165]

Groups of the German Lutheran,[166] German Reformed,[167] and Episcopalian[168] denominations were also in existence in the county before the Civil War. The Catholic groups were formally organized by the Reverend Father Cluse, later Monsignor Cluse, who came to Petersburg on May 4, 1868. He had just been ordained as a priest by the Right Reverend Henry Damien Juncker, Bishop of Alton. During his four-year pastorate he started a school in the sacristy of his church and a mission at Greenview. St. Peter's Catholic Church at Petersburg was built with the contributions of some thirty-six Catholic families of German descent.[169]

A very interesting story is told about Dr. Allen of the Hard-Shell Baptist Church at New Salem. Some time during the early days Dr. Allen created considerable

164. "Aaron Hatfield", in Spoon River Anthology (1916), p. 265.
165. A.T. Norton, History of the Presbyterian Church in the State of Illinois, p. 116-19.
166. Miller, History of Menard, p. 243.
167. Miller, Past and Present of Menard, p. 53.
168. Miller, History of Menard, p. 243.
169. Joseph J. Thompson (ed.), Diocese of Springfield in Illinois, Diamond Jubilee History, p. 363, 364.

excitment about a temperance pledge which Mentor Graham, a school teacher, had signed. Mr. Graham was ousted from the church for taking the pledge; and on the same day another member was ousted for getting drunk. At the next meeting following this incident an old man stood up, held a flask of whiskey before him, and asked the congregation the following question: "Brethern, you have turned one member out because he would not drink, and another because he got drunk. . . .How much of this critter does one have to drink in order to remain in full fellowship in the church?"[170]

Newspapers, Library Association, Masons, and Lyceum

The history of the newspapers in Menard County is very fragmentary. From the information available it is known that there were newspapers issued in the county in the 1850's. The Petersburg Express, a politically neutral paper, was issued by S.B. Dugger in 1854. Henry L. Clay took over the editorship from Dugger the same year and became its publisher. The Fillmore Bugle was started in 1856 by William Glenn, existed only one year, and collapsed - having during the interval changed its name to the Fillmore Index. With the disappearance of the Fillmore Index, Clay of the Express changed its name to the Menard Index.[171] The Index was a Democratic sheet and no doubt reflected the political change which had taken place in the voting by Menard citizens in national elections. For while the county was carried by the Whigs in the elections of 1840, 1844, and 1848, the Democrats won in 1852 and 1856.[172]

In 1858 Clay sold the Menard Index to Hobart Hamilton

170. Miller, History of Menard, p. 221.
171. Information furnished by WPA field workers at Petersburg, Menard County.
172. The vote for President in the elections of 1840 to 1856 was, by candidate, as follows:

Party	1840	1844	1848	1852	1856
Democrat	193	378	488	698	854[Buchanan]
Whig	315	397	605	644	109[Fremont:Republican]
Other	---	1	1	1	668[Fillmore:American]

Theodore Calvin Pease, Illinois Election Returns, 1818-1848, p. 118, 150; The Whig Almanac and United States Register (1849), p. 57; The Whig Almanac (1853), p. 48; The Tribune Almanac and Political Register (1857), p. 60. Cf. with Miller, Past and Present of Menard, p. 11.

who was a Republican.[173] In spite of the efforts of the Index, and the fact that Abraham Lincoln had lived in the Menard County area from 1831 to 1837, Douglas and McClellan received more votes than Lincoln in 1860 and 1864 respectively,[174] probably due, in part, to the efforts of the Democratic paper established in 1860 by C. Clay called the Menard County Axis, and continued after 1868 by a Mr. Friend as the Petersburg Democrat.[175]

Some of the other cultural and social activities were expressed in the Library Association, lodges, and the Petersburg Lyceum. The Menard County Library Association was incorporated May 12, 1859 and William C. Cowgill, J. Hill, A.K. Johnson, Joseph B. Goldsby, Joseph Bell, John Allen, and William H. Alister were elected its trustees.[176] In 1859 the Clinton Lodge, No. 19, of the Free and Accepted Masons at Petersburg had been incorporated by a private act of the legislature;[177] and as early as 1839 the court "Ordered that the Petersburg Lyceum have the privilege of holding their meetings in the Court room one night in every week - the particular night to be specified hereafter by the Lyceum - provided that said Lyceum shall not occupy said room whenever it shall be needed by either the Circuit or Commissioners' Court."[178] With schools, churches, a lyceum, and a library association established in the county by 1860 the educational and religious needs of the inhabitants of Menard County were adequately served.

From the Civil War to 1940 - Political

Even before the Civil War the growing complexity in the work of the county administrative units was evident. The war merely accelerated this process until the county could no longer bear the burden of carrying on its normal functions without outside aid. The state government attempted to help the county out of its difficulties by

173. Information furnished by WPA field workers at Petersburg, Menard County.
174. In 1860 Lincoln received 962 votes and Douglas 1,035; in 1864, Lincoln, Union, 854 and McClellan, Democrat, 1,075 The Tribune Almanac (1861), p. 56; ibid. (1865), p. 59.
175. Information furnished by WPA field workers at Petersburg, Menard County.
176. Commissioners' Court Record, v. 2B, p. 454, in County Commissioners' Record, see entry 2.
177. Priv. L. 1855, p. 675,676.
178. Commissioners' Court Record, v. 1A, p. 57, in County Commissioners' Record, see entry 2.

passing special acts enabling the local government to increase its tax rates. After the turn of the century, however, the state government found itself losing certain powers to the national government. When the Federal government stepped in after 1929 and took over some of the governmental functions formerly considered the sole province of the local regions, the county was not merely relieved of certain responsibilities but also of the rights and privileges of determining directly the policies affecting public relief, roads, and other functions.

War Record

During the various wars in which the United States participated, Menard County, before and after its organization, contributed its manpower to the military branches of the nation. Revolutionary War and War of 1812 veterans lived in Menard County, for at least 12 of the former and 6 of the latter were buried in its cemeteries.[179] Abraham Lincoln and a company of Menard men participated in the Black Hawk War; and about eighty-three men saw service in the Mexican War, one company of the Fourth Illinois Regiment being officered by A.D. Wright, captain; William L. Clary, first lieutenant; Shelton Johnson, second lieutenant; and Robert Scott, third lieutenant.[180]

Concerning the participation of the citizens of Menard in the Civil War, this statement appears in the Menard, Salem and Lincoln Souvenir Album: the sons of Menard answered the call for troops issued by President Lincoln promptly. On the 25th day of April, company E, Fourteenth Regiment was mustered into service. The company contained eighty men, and was officered as follows: A.K. Johnston, Captain; J.M. Early, first lieutenant; E.A. Norton, second lieutenant; A.J. Gillespie, third lieutenant. At every subsequent call a like promptness was shown until Menard County furnished to the service one thousand and eighty-four men, of this number, one hundred and eighty-four laid down their lives for the preservation of the Union.[181] Assuming 1,084 to be the correct number of Menard enlistments, it would mean that eleven percent

179. Petersburg (Illinois) Observer, September 11, 1936; "Menard County", in State of Illinois, Roll of Honor, II, 253-59.
180. Bateman, et al., Historical Encyclopedia of Illinois, I, 370. See also Miller, Past and Present of Menard, p. 122.
181. Illinois Women's Columbian Club of Menard County, Menard, Salem and Lincoln Souvenir Album (1893).

of the total population (taking the 1860 census figure of 9,854)[182] saw active service in the Civil War.[183]

The county, in addition to the manpower it furnished, gave generously of its finances. Aid was extended to the families of the soldiers away from home. Thus, Bale and Hill were allowed $36.80 for flour furnished to soldiers' widows; Wright and Bates, $66.67 for merchandise furnished the widows; and Morris Myers, $10 for goods furnished soldiers' families.[184] Bonuses of $500 were paid by the county to the soldiers as provided by the county court on January 20, 1865:

> Ordered that the County of Menard State of Illinois in its corporate capacity, will pay a bounty of five hundred dollars to each Volunteer who may enlist and be properly numbered in United States service and duly credited to any Precinct or sub district in arrears under the late call of the President of the United States for three hundred thousand men to be raised by the 15th of February 1865, to serve in the army of the United States as aforesaid that said County will pay a like bounty of five hundred dollars to any man who has heretofore or may hereafter furnish a substitute who has been or who shall hereafter be accepted and mustered into service of the United States and duly credited to any precinct or sub district in said County in arrears under the call aforesaid and that said County will pay a like bounty of five hundred dollars to any man who may be drafted in said County, and mustered into the United States service under said Call.[185]

The legislature legalized the acts of the Menard County court in offering war bounties[186] and enabled the court to levy and collect a special war bounty tax.[187] In order to prevent any war profiteers from benefitting too excessively from the misfortunes of others the law also limited the interest rate, at which the county court could borrow money, to ten percent or less and further provided that

182. U.S. Secretary of the Interior, Eighth Census of the United States, 1860, v. I, Population, p. 79,83.
183. Miller, Past and Present of Menard, p. 122-30.
184. Commissioners' Court Record, v. 3, p. 115,143, in County Commissioners' Record, see entry 2.
185. Ibid., p. 242. See also p. 244.
186. Priv. L. 1865, I, 138.
187. Ibid., p. 138,139,140.

the bonds issued to repay the indebtedness were not to be sold at less than seventy-five cents on the dollar.[188]

The material dealing with the participation of the citizens of Menard County in the Spanish-American War and World War is not readily available. Yet, it is known that the county was represented in both wars. According to J.B. Jiskra, the commander of the American Legion Post, Petersburg, some 275 men saw service in the World War.[189] From a tablet set in the wall of the lower floor of the Menard County courthouse it appears that Petersburg alone contributed 159 men to the enlistment rolls for the war nine names of which are "starred" indicating death in the service.[190]

Changes in County Government

A little over a decade before the Civil War the Constitution of 1848 replaced the county commissioners' court with a county court and made further stipulation that the General Assembly was to provide by law for a township organization for those counties that might not wish the county court form of government.[191] Accordingly the last county commissioners, Archibald Kincaid, Charles L. Montgomery, and Jacob Garber[192] gave way to the first officials under the county court form of government (December 1849). They were: Jacob Garber, county judge; John Tice and Charles J.H. Clark, associate justices; and Cornelius Rourke, clerk of the county court.[193]

Efforts to effect a township organization were not lacking. In 1864, H. Harvey and seventy-four petitioned the court to submit the question of township organization for the county to a vote of the people at the next general election. The court ordered the question to be voted upon and on November 6, 1864 the proposal was defeated by a vote of 587 for township organization to 1,118 against.[194] Again in 1880 and in 1895 petitions on the same question

188. Priv. L. 1865, I, p. 138,139,140.
189. "Menard County", in State of Illinois, Roll of Honor, II, 253-59.
190. Ibid.
191. Schedule sec. 6; L. 1849, p. 62-67,190.
192. Commissioners' Court Record, v. 2B, p. 45, in County Commissioners' Record, see entry 2.
193. Ibid.
194. Illinois Department of Secretary of State, Index Department, Election Returns, f.b. 8, level 3, bay 2, Archives Building, Springfield.

were submitted by citizens, granted, voted upon, and lost by substantial majorities.[195]

After the adoption of the Constitution of 1870, counties under the county court form of government automatically went back to a system very similar to the old county commissioners' form, namely, the board of county commissioners.[196] The last county court officials (September 1873) were C.M. Robertson, county judge, and Milem Alkire and James Purkapile, associate justices;[197] and the officials of the first board of county commissioners' were Milem Alkire, W.C. Smoot, and James Purkapile, commissioners, Anson Thompson, clerk, and Frederick Wilkinson, sheriff.[198] The functions of the board of county commissioners were in most respects almost identical with those of the two preceding systems of county government. Menard County has remained under the administration of the board of county commissioners to the present day (1941).

New Public Buildings

Accompanying the expansion of county business and the changes in county government was the erection of new public buildings after the Civil War. In 1864 it was decided to erect a fireproof building to house the offices of the county and circuit clerks. At a special session held June 27, 1864, Diederich Fisher was authorized by the court to make out the plat and specifications for this structure.[199] On July 7, Fisher was appointed as the

195. The petition of James L. Rayburn and 60 other legal voters was received September 9, 1880. On November 2, 1880 the election was held and the vote stood: for township organization, 914; against 1,310. Illinois. Department of Secretary of state, Index Department, Election Returns, f.b. 13, level 3, bay 2, Archives Building, Springfield. The petition of Wolf Salzenstein and 90 other legal voters asked that the question should be submitted as provided by the act of the General Assembly of the State, March 4, 1874. There are two different sets of results: (1) 666 for township organization, and 1,363 against (ibid., f.b. 17, level 3, bay 2); and (2) 506 for and 1,143 against (Poll books dated November 11, 1895 in f.b. 379, see entry 1).
196. Art. X, sec. 5 and 6.
197. County Court Record, v. 4, p. 412, in County Commissioners' Record, see entry 2.
198. Ibid., p. 415,416,418.
199. Ibid., v. 3, p. 213.

gent to procure materials and superintend the building of he structure which was to be erected in the northeast orner of the courthouse square, and the court allowed him 2,000 for building purposes.[200] An additional $2,500 was llowed Fisher on September 9 for paying his help, furishing materials, and other expenses. By June 17, 1865, 9,500 had been paid Fisher for erecting the fireproof uilding.[201] This additional structure eliminated the vercrowded condition of that portion of the courthouse ormerly occupied by the clerks. However, gradual deterioration finally caused the county board, in 1896, to conider the erection of a new courthouse.[202]

The old courthouse was razed in that year and the ontract for constructing the new building was awarded to . Yeager and Son of Danville, Illinois, in the amount of 44,000, on April 21, 1896. While the new structure was eing built the commissioners held their sessions at the arris "Guards" Opera House in Petersburg for which they aid $1.75 per day rental fee. The new courthouse was ompleted and occupied in 1897.[203]

A new jail was also needed by the late 60's and on une 28, 1869, the county court ordered the clerk to rite to G.P. Randall of Chicago and Richard Irwin of incoln, Illinois, requesting them to submit to the court, n or before July 9, their views as to the best place for uilding a county jail and a jailor's residence, not to xceed $18,000 in cost.[204] On August 18, the court accepted the plans of M. Myers of Springfield and purchased rom Cornelius Rourke, lots 1 and 2 in block 17 in Petersurg for $1,300 on which site the jail was to be built.[205] y September 18 the court had received various proposals or the construction of the jail. The proposal of

200. Commissioners' Court Record, v. 3, p. 214, in County Commissioners' Record, see entry 2.
201. Ibid., p. 229,241,279.
202. Ibid., v. 8, p. 275.
203. For full treatment of the present courthouse see chapter on Housing, Care, and Accessibility of the Records. In 1938 the courthouse was remodeled. Agreement was made May 24, 1938 between the county commissioners and John Johnson of Petersburg, contractor (County Commissioners' Record, v. 9, p. 289, see entry 2).
204. Commissioners' Court Record, v. 3, p. 619, in County Commissioners' Record, see entry 2.
205. Ibid., p. 620,622,627.

Diederich Fisher, being the lowest, was accepted.[206] During 1870, Fisher was also employed to construct a sewer system in conjunction with the jail (March 11, 1870), and to make and construct other and additional improvements on the jail.[207]

The jail was reported as completed on October 29, 1870 and five inspection commissioners were appointed to report on the quality and caliber of the materials and workmanship and to report whether or not the building was constructed according to specifications. Their report to the court was a favorable one, whereupon the building was formally accepted.[208] The county thus acquired a jail equal to the standards of the period. The old jail remained in existence several years after the new structure was erected; and it and the two lots upon which it stood were sold on September 6, 1872 and January 4, 1873.[209]

County Roads, Federal Aid

Under both the county court and board of county commissioners, new roads, bridges, and ferries were provided for after the Civil War. The number of road districts, which were 25 in 1873,[210] were reduced by 1940 to 12.[211]

A general regulation regarding road petitions was issued by the board of county commissioners in 1873 which ordered "that hereafter all petitions or applications for the establishment, location, vacation, relocation, change or alteration of any public road are required to be presented to the board of county commissioners and filed with the clerk on the first day of each regular session and that remonstrances to such petitions must be presented and filed with the clerk on the second day of the regular session and that petitions applications and remonstrances shall not be received or entertained by the Board unless

206. County Court Record, v. 4, p. 1,13,14, in County Commissioners' Record, see entry 2. Fisher's bid amounted to $17,970.
207. County Court Record, v. 4, p. 76, in County Commissioners' Record, see entry 2.
208. Ibid., p. 144.
209. Ibid., p. 337.
210. Ibid., p. 568-70.
211. Illinois Tax Commission, Survey of Local Finance in Illinois, v. I, Atlas of Taxing Units, p. 102.

presented and filed as above required."[212]

The rate of road taxes and the number of days of road labor fluctuated only slightly after 1861 from those of the ante bellum period. Three days of road work per annum were required in 1862, 1863, 1865, 1866, and 1868; and two days in 1874 and 1884. Tax rates per $100's worth of property ranged from ten cents in 1862 and 1863 to twenty cents in 1865, 1866, 1867, 1870 and 1872.[213]

Some of the bridges constructed during the period were: (1) a part of a new trestle bridge over the Sangamon River at Petersburg; (2) a bridge over Rock Creek near James Kelly's place; (3) a wooden bridge over Smedley Creek near Tallula; and (4) bridges over Indian and Clary's Creeks.[214] The petition of David Carter to establish and locate a ferry across the Sangamon River between the counties of Menard and Mason at Blunt's Ford was granted on June 7, 1879; and the following rates were fixed: two-horse vehicle, 25 cents; one-horse vehicle, 15 cents; each footman, 10 cents; each head of neat cattle, mule, or ass, 5 cents; and each head of swine, sheep, or goat. 2½ cents.[215]

With the aid of the Federal and state governments, roads of various types were added to those built by the county and by 1940 there were 526.6 miles of road within the county limits. (See Table IX)

Increase of Poor Relief - Federal Program

The enlargement of the poor relief program also took place after the Civil War. The poorhouse built in 1855 was found to be inadequate by 1910. As the records put it,

> Now on this day it comes to the knowledge of this Board that Menard County is in need of a new and

212. County Court Record, v. 4, p. 448, in County Comissioners' Record, see entry 2.
213. County Commissioners' Record, v. 3, p. 84,256,403, 490; County Court Record, v. 4, p. 77,258,571; County Commissioners' Record, v. 6, p. 274,306, in County Commissioners' Record, see entry 2.
214. Commissioners' Court Record, v. 3, p. 386; County Commissioners' Record, v. 6, p. 215,216,218, see entry 2.
215. County Court Record, v. 5, p. 435,436, in County Commissioners' Record, see entry 2.

Table IX: Rural Road Mileage, 1940[216]

Type of Road	Total Mileage	Concrete	Gravel or Stone	Soil Surfaced	Graded and Drained Earth	Unimproved Earth
Primary (Federal Aid)	22.6	20.8	...	...	1.8	...
Primary (Non-Federal Aid)	13.8	13.8	...	...	...	...
State Aid (Federal Aid)	15.9	1.5	1.5	11.2	1.7	...
State Aid (Non-Federal Aid)	78.9	1.4	46.8	29.7	1.0	...
Local (Federal Aid)	...	...	...	...	...	...
Local (Non-Federal Aid)	395.4	...	139.3	136.7	104.7	14.7
Total	526.6	37.5	187.6	177.6	109.2	14.7

> modern Almshouse, the old house and the one now occupied being badly out of repair having been built many years, there being no heating system other than stoves, no plumbing of any consequence, no suitable facilities for bathing, no closets in the building, and it will cost more than the old building is worth to put it in suitable repair, and that it will be wise to build a new modern building in a more suitable location on the poor farm.[217]

At the election of October 3, 1910 the voters decided in favor of a new almshouse by a majority of 217 votes;[218] and on May 15, 1911 the contract to build the structure was awarded to A.H. White of Petersburg for $23,100.[219]

During the last four decades the problem of public welfare increased in complexity, especially after 1929 when the old local system broke down under the severe economic dislocation, and the Federal government was forced to take over many of the local public welfare functions. The statistical data presented in Table X shows to what extent this transfer has been effected.

216. Figures furnished by Illinois Division of Highways, Bureau of Highway Research, January 1, 1940.
217. County Commissioners' Record, v. 10, p. 301, see entry 2.
218. County Commissioners' Record, v. 10, p. 350.
219. Ibid., p. 351, see entry 2. Information regarding the date of completion of the poorhouse was not available.

Table X: Number of Persons Dependent Upon Five Public Assistance Programs[220]

Month	Number	% of Population	One in Every	General Relief	W.P.A.	Old Age Assistance	Mothers' Pensions	Blind Pensions
1939 March	2,004	19.0	5	1,044	587	359	69	31
April	1,938	18.3	5	1,041	545	361	69	31
May	1,762	16.7	6	907	498	369	69	31
June	1,828	17.3	6	898	608	378	69	31
July	1,831	17.3	6	851	600	381	67	31
August	1,772	16.8	6	804	560	384	70	29
September	1,885	17.8	6	855	700	388	70	29
October	1,711	16.2	6	803	560	390	67	29
November	1,595	15.1	7	682	480	394	73	29
December	1,644	15.5	6	712	584	391	67	29
1940 January	1,709	16.2	6	710	652	393	69	29
February	1,838	17.4	6	828	644	391	67	28
March	1,904	18.0	6	862	674	384	66	28
April	1,885	17.8	6	799	708	380	67	28
May	1,802	17.0	6	767	678	385	69	25
June	1,666	15.8	6	684	559	383	69	25
July	1,558	14.7	7	621	534	378	69	25
August	1,401	13.2	8	526	443	382	66	25
September	1,505	14.2	7	645	459	387	66	25
October	1,504	14.1	7	624	468	388	63	25
November	1,426	13.4	7	565	437	389	65	25
December	1,445	13.5	7	724	448	382	65	25
1941 January	1,590	14.9	7	704	503	376	65	25
February	1,533	14.4	7	836	391	371	65	24

Moreover, individuals in all walks of life in the county found themselves in need of assistance. In February 1935 the following number of each occupational group was

220. Illinois Emergency Relief Commission, Monthly Bulletin on Relief Statistics, v. VI, Nos. 3-12 (1939), p. 49,65,79,97,113,129,145,165,181,197; v. VII, Nos. 1-12 (1940), p. 11,41,57,73,84,103,121,137,153,173, 193,213; v. VIII, Nos. 1,2 (1941), p. 17,53. Note: page numbers follow in sequence of bulletin numbers and are to be matched.

receiving some form of public assistance: professional persons, 2; proprietors, managers, and officials, 27; agricultural proprietors and tenants, 21; clerical workers, 5; salespeople, 5; semiprofessional and recreational workers, 1; skilled workers, 28; semiskilled workers, 182; farm laborers, 94; laborers not specified, 23; operators in coal mines, 24; servants and skilled workers, 21; all others, 47. Of these 382 employable relief clients, 319 were male, 63 female, 304 with work experience, and 78 without any work experience.[221]

Growing Complexity in County Finances

The additional expenses incurred by the county as a result of larger expenditures for public buildings and their furnishings, roads and bridges, public welfare, and railroads meant an increase in tax rates.[222] In 1872 an independent assessor was appointed by the county board to take over the functions held by the county treasurer since 1844;[223] however, in 1873 the treasurer again became assessor, ex officio.[224] The assessor in 1883, for example, was J.G. Strodtmann, the county treasurer, and the persons selected by him as deputies were: N.J. Coffey, Nathan Hartley, J.N. Rutledge, T.J. Dawson, S.S. Knoles, John Tice, M.C. Connelly, and H.H. Hoagland.[225]

Receipts and expenditures did not alter greatly from decade to decade after 1869 until the turn of the century. During the post-World War decade both rose markedly, explaining in part the necessity for higher tax levies. In 1869 the receipts totalled $21,361.78 and the expenditures were $21,824; in 1879, receipts, $37,704.03 and expenditures, $36,080.55; in 1889, receipts, $28,768.26 and ex-

221. Farm, Home and Community, p. 41.
222. In 1869 the tax rate for county purposes was 40 cents on the $100, and there was also an 85-cent levy to pay the interest on the bonded debt of the county and to pay for the building of the jail. In 1871 the rate of taxation was 75 cents per $100, and a special tax of $1.50 per $100 was levied for the purpose of paying interest on the bonded debt of the county and for the further purpose of paying the debts of the county created for money borrowed (County Court Record, v. 4, p. 10,216, in County Commissioners' Record, see entry 2).
223. L. 1871-72, p. 20.
224. L. 1873, p. 74.
225. County Commissioners' Record, v. 6, p. 215, see entry 2.

Table XI: Comparative Statement of Taxable Property, 1869, 1900, 1920, and 1938[226]

ITEM Personalty (A)	1869		1900		1920		1938	
	No. or Acres	Amount ($)	No. or Acres	Amount ($)	No. or Acres	Amount ($)	No. or Acres	Amount ($)
Horses	5,161	163,552	6,616	59,941	4,810	166,094		
Horses and Mules							3,383	105,320
Mules and Asses	1,001	36,578	759	7,499	877	36,284		
Cattle	10,737	105,008	16,924	83,266	9,403	203,945	7,027	145,760
Sheep	13,066	10,714	3,571	2,714	1,805	7,441		
Sheep and Goats							2,303	10,240
Hogs (Swine)	16,365	31,584	22,229	23,785	11,937	73,534	12,430	80,065
Carriages and Wagons	1,534	33,058	2,846	12,665	1,614	20,202		
Clocks and Watches	907	3,583	1,478	2,247	1,013	4,062		
Pianos	25	1,928	308	5,572	729	27,949		
Steam Engines Inc. Boilers			84	7,223	110	19,574		
Fire and Burglar Proof Safes			90	847	52	1,054		
Billiard and Pigeon Hole Tables			9	71	9	303		
Sewing and Knitting Machines			1,170	2,328	1,075	5,215		
Melodians and Organs			407	1,787	200	3,717		
Franchises			1	649				
Annuities and Royalties			1	646				
Patent Rights			2	113	2	8,589		
Steamboats			1	388	2	527		
Automobiles					1,212	175,751	1,642	215,375
Trucks and Busses							328	34,770
Material and Mfg. Articles		1,010		2,883		485		89,645
Machinery and Equipment				11,664		76,062		172,510
Gold and Silver Plate and Plated Ware				272		815		
Diamonds and Jewelry				397		3,262		
Monies of Banker, Broker, etc.				18,695		353,407		
Money and Credits		66,540						
Credits of Banker, Broker, etc.				18,221		178,577		
Monies of Other than Banker, etc.				123,384		137,212		
Credits of Other than Banker, etc.				59,423		38,362		

(Footnote, see page 54)

Table XI (Continued)

ITEM Personalty (A)	1869		1900		1920		1938	
	No. or Acres	Amount ($)	No. or Acres	Amount ($)	No. or Acres	Amount ($)	No. or Acres	Amount ($)
Taxable Stocks and Bonds		800		5,172		470		17,675
Shares of Capital Stock not of this State				490				
Property of Corporations not before Enumerated				2,659		2,445		
Property of Saloons and Eating Houses				435		682		
Household and Office Furniture				30,391		125,135		163,475
Investments in Real Estate and Imp. Thereon				366		8,355		
Grains of all Kinds				57,592		187,220		
Shares of Stock of State and National Banks				17,500		288,400		
Capital Stock Domestic								12,720
Telegraph and Telephone Co.						23,258		
Public Utility Personalty								277,985
Personal Effects								3,410
Mortgages and Notes								44,510
Sundry (All Other Personalty)		41,990		5,918		50,780		131,065
Goods and Merchandise		37,725						
Monies, Cash and Bank Deposits								139,130
Net Credits								4,650
Value as Enumerated		386,014		211,941		754,241		
Assessed Value all Personal Property				632,707		2,669,271		1,648,305
Equalized Value Personal Property		551,833		537,801		2,669,271		1,648,305
REAL ESTATE								
Lands Improved	142,566	719,855	189,812	2,175,245	197,364	6,393,435	175,022	7,161,660
Improvements		265,880				590,650		1,410,130
Unimproved	55,469	180,985	7,530	46,456			21,727	475,205
Assessed Value		1,166,720		2,221,701		6,984,085		9,070,325
Equalized Value		1,411,731		1,888,446		8,031,698		9,046,995

(Footnote, see page 54)

Table XI (Concluded)

ITEM Personalty (A)	1869		1900		1920		1938	
	No. or Acres	Amount ($)	No. or Acres	Amount ($)	No. or Acres	Amount ($)	No. or Acres	Amount ($)
TOWN AND CITY LOTS								
Lots Improved	608	32,355	2,748	387,468	1,870	280,837		494,575
Improvements		98,015				750,300		1,216,555
Lots Unimproved	1,427	31,930	735	10,907	1,273	64,478		109,040
Assessed Value		162,300		398,375		1,095,615		1,822,620
Equalized Value		178,530		338,619		1,095,615		1,820,170
RAILROADS (B)								
Lands.		3,215		122		995		690
Tracks, Rolling Stock, Imp. on Right of Way		83,496		334,048		1,039,510		1,701,521
Misc.		650				200		
Total		87,361		334,170		1,040,705		1,702,211
STOCKS								
Other Corp. than R.R.						30,700		21,260
Grand Total - All Property								
Assessed Value		1,804,996		3,252,927		10,750,036		12,541,520
Equalized Value		2,229,455		3,099,036		12,867,989		14,239,301

226. In the text of the table the (A) after "Personalty" is intended to indicate that this subsection includes the capital stock of domestic corporations other than railroads assessed by the Board of Equalization or the Tax Commission after 1872 and (B) after "Railroads" is intended to indicate that the assessment of designated classes of railroad property by the State Board of Equalization did not take place until after the enactment of the Revenue Act of 1872. For the statistics in the table see Illinois Board of Equalization, Proceedings (1869), p. 30,41,58,60,73,77,109; ibid. (1900), p. 17,19,20,21,26,36,132,136; Illinois Tax Commission, Second Annual Report (1920), p. 37,41,43,45,318,323,330; ibid. (1937-1938), p. 108,124,249.

penditures, $26,444.86; in 1889, receipts, $29,754.27 and expenditures, $30,894.70; and in 1909, receipts, $35,243.40 and expenditures, $34,280.58. From 1909 to 1919 receipts rose from $35,243.40 to $61,920.11 and expenditures increased from $34,280.58 to $54,259.40. In 1929 the receipts for the year amounted to $70,648.49, and the expenditures were $63,241.08; and in 1939, receipts were $245,933.05 with expenditures $248,571.99 - not a small budget for a community of 10,575 persons.[227]

Moreover, during the last eight decades, the total value of assessed property increased and the items in the lists of taxable property changed. Such significant property items as automobiles, machinery and equipment, capital stock of corporations, railroad properties, and public utility personalty became more and more important in the later lists. From these lists, however, it is also evident that the county still remained a predominantly agricultural region. (See Table XI)

The County in National Elections

The tendency of the county electorate to vote for Democratic presidential candidates, visible in the ante bellum period and during the Civil War, continued until 1904. In that election the county gave the majority of its votes to Theodore Roosevelt. After switching back to the Democratic column in 1908 and 1912, Menard went Republican in 1916, 1920, 1924, and 1928. Although Franklin D. Roosevelt carried the county in 1932 and 1936, Wendell Willkie won the county in 1940. (See Table XII) The tendency in the last forty years for the county majority to switch from one major political party to the other probably reflects the presence of a large group of voters who did not feel themselves attached, even traditionally, to either of the major parties.

From the Civil War to 1941 - Economic and Social

The economic and social changes after the Civil War reflected in, and overshadowed by, the political and administrative developments. The coming of the railroad,

227. Commissioners' Court Record, v. 3, p. 593; County Court Record, v. 5, p. 431,432; County Commissioners' Record, v. 7, p. 321,322,346; ibid., v. 8, p. 561,562; ibid., v. 9, p. 27; ibid., v. 10, p. 221,253,336,337,366, see entry 2; Auditor's Report (1929), Schedule No. 8; ibid. (1939), Exhibit B, p. 1,2, see entry 34.

Table XII: Votes Cast in Menard County for President, 1868-1940[228]

Presidential Year		1868	1872	1876	1880	1884	1888
Democrats		1,295	1,149	1,657	1,473	1,579	1,648
Republicans		1,066	935	1,115	994	1,134	1,292
Third Party (Weaver)					470		
Presidential Year		1892	1896	1900	1904	1908	1912
Democrats		1,748	2,012	2,078	1,506	1,742	1,530
Republicans		1,278	1,642	1,632	1,705	1,600	620
Third Party (Progressives)							903
Presidential Year	1916	1920	1924	1928	1932	1936	1940
Democrats	2,689	1,864	1,954	1,742	3,453	3,152	2,984
Republicans	2,693	2,882	2,931	3,243	2,327	3,067	3,531

mining of coal for home consumption, and increase of business and manufacturing activities stimulated the expansion of agricultural pursuits in the county. Forces beyond the control of the local farming group, however, arose after the World War which tied the county to the cycles of prosperity and depression and resulted in the economic and social dislocation of many of its inhabitants.

Growth of Population

Between 1860 and 1900 population steadily increased in Menard County. In the year before the beginning of the Civil War there were 9,584 inhabitants in the county; in 1870, there were 11,735 inhabitants; in 1880, 13,024; in

228. The Tribune Almanac and Political Register (1868), p. 71; (1873), p. 68; (1877), p. 72; (1881), p. 47; The Chicago Daily News Almanac and Yearbook (1885), p. 38; (1888), p. 101; (1893), p. 249; (1897), p. 272; (1901), p. 329; (1905), p. 229; (1909), p. 344; (1913), p. 437; (1917), p. 431; (1921), p. 241; (1925), p. 713; (1929), p. 691; (1933), p. 250; Illinois Department of Secretary of State, Blue Book of the State of Illinois (1937-1938), p. 675; Illinois Department of Secretary of State, Official Vote of the State of Illinois (1940), p. 9.

1890, 13,120; and in 1900, 14,336.[229] These were years of immigration into the county, for the number of foreign-born increased during the successive decades (1860, 939; 1870, 1,503; 1880, 1,383; 1890, 1,659; and 1900, 1,539).[230] The year 1900 was the peak year in population growth. Thereafter, the population of Menard County declined not merely relatively but absolutely. From 14,336 in 1900 the number of dwellers in Menard declined to 12,796 in 1910, 11,694 in 1920 and 10,575 in 1930.[231] Thus after three score and ten years only 991 more individuals lived in the county than had resided there in 1860 (1860, 9,584; 1930, 10,575). In 1930, out of a population of 10,575, only 4.4 percent or 467, were foreign-born. (See Table XIII) The last census figures (1940) place the population of the county at 10,663.[232] The centers of population in the county did not change very much after the Civil War. Petersburg, which was incorporated as a city on April 4, 1882, easily continued holding the lead, which it possessed from the very beginning, over the other towns in the county.[233] Athens was not incorporated as a city until March 30, 1892; and Greenview, Oakford, and Tallula were incorporated as villages in 1869, 1892, and 1873 respectively.[234] In 1870 the population of the precincts including the five incorporated areas was: Petersburg, 760; Athens, 244; Greenview, 133; and Tallula, 203. Oakford was not a separate precinct then.[235] By 1937 the five incorporated areas had increased in size as follows: Petersburg city, 2,319; Athens city, 1,019; Greenview village, 720; Oakford village, 291 (339 in 1940); and

229. U.S. Department of Interior, Census Office, Tenth Census of the United States, 1880, v. I, Population, p. 57; Twelfth Census of the United States, 1900, v. I, Population, p. 16.
230. U.S. Secretary of the Interior, Eighth Census of the United States, 1860, p. 102; U.S. Department of the Interior, Census Office, Tenth Census of the United States, 1880, v. I, Population, p. 431; Twelfth Census of the United States, 1900, v. I, Population, p. 535.
231. Population Bulletin, p. 28.
232. Illinois Department of Secretary of State, Official List of Counties and Incorporated Municipalities of Illinois (January 1, 1941), p. 3.
233. Ibid., p. 17.
234. Ibid., p. 12,17,20.
235. Illustrated Atlas Map of Menard County, p. 7.

Table XIII: Countries of Origin of Foreign-Born in County, 1870-1930[236]

Countries	1870	1900	1930
Germany	804	734	275
Ireland	330	127	15
England and Wales	82	130	31
Scotland	41	38	12
Scandanavia (Sweden, Norway and Denmark)	155	256	73
Finland		2	
Holland	1		
Belgium		1	
Luxembourg			1
France	7	13	4
Austria		2	8
Switzerland	22	10	
Italy		6	7
Hungary		1	
Greece			1
Lithuania			19
Poland		50	7
Russia		121	
Australia		4	
Canada	59	39	13
Other	2	2	1
Born at Sea		3	
Total	1,503	1,539	467

Tallula village, 583 (604 in 1940).[237]

Coming of the Railroad

Railroad promoters realized in the 1850's the necessity of tapping an area having farms valued at about three and half million of dollars and producing manufactured goods totalling about two hundred and forty thousand dollars. Several companies planning to serve the Menard County locality were incorporated before the Civil War;[238]

236. U.S. Secretary of the Interior, Ninth Census of the United States, 1870, v. I, Population, p. 23,109, 351; Twelfth Census, 1900, v. I. Part I, p. 579,746; Fifteenth Census, 1930, Population, v. III, Part I, p. 614,637.
237. Illinois Department of Secretary of State, Official List of Counties and Incorporated Municipalities of Illinois (1937), p. 3,9,14,17.
238. The Petersburg and Beardstown was incorporated in 1853; the Petersburg and Waverly in 1857; and the first Springfield and Northwestern in 1852. See Priv. L. 1854, p. 141; Priv. L. 1857, p. 827-31; Miller, History of Menard, p. 247.

yet the first railroad entering the county was the Tonica and Petersburg Railroad in 1861.[239] This road had been incorporated in 1857 by Albert Reynolds, Elijah N. Farnsworth, Jesse Hammers, Henry R. Green, William Crow, Josiah Sawyer, and Richard Yates.[240] The county was authorized to subscribe to the stock of the company,[241] and the county court ordered that the voters in the county pass on a purchase of $100,000 in the stock of the Tonica and Petersburg Railroad.[242] The citizenry voted to support the railroad, and William G. Green was appointed an agent to purchase 500 shares of capital stock for the county.[243] Also, on September 12, 1857, twenty cents per $100 was levied for the purpose of paying the interest on county bonds issued and paid over to the Tonica and Petersburg, amounting to $98,000. The balance of the $100,000, or $2,000, was paid to the railroad on August 10, 1859.[244] Private laws of 1859[245] and 1861 authorized the railroad company to "receive subscriptions to its capital stock payable in either real or personal property. . . .[and] to receive subscriptions to its capital stock payable in money, work, labor, materials, equipments or any other kind of property. . . ."[246] In 1861 the road was completed from Jacksonville to Petersburg, a distance of 28 miles.[247] During the Civil War a consolidation of the Tonica and Petersburg with the Jacksonville, Alton and St.Louis was approved by the county board and the board of directors of the railroad.[248] Today the Alton Railroad has 37.06 miles of track valued at $461,644.[249]

Other railroads constructed through the county area during the post bellum period were the Petersburg and

239. Miller, History of Menard, p. 248.
240. Priv. L. 1857, p. 9-15.
241. Ibid., p. 1031,1032.
242. Commissioners' Court Record, v. 2B, p. 323, in County Commissioners' Record, see entry 2.
243. Ibid., p. 347. See also p. 336,367.
244. Ibid., p. 370,372,417,463.
245. Priv. L. 1859, p. 517-22.
246. Priv. L. 1861, p. 512,513.
247. Miller, History of Menard, p. 247.
248. Commissioners' Court Record, v. 3, p. 99,114, in County Commissioners' Record, see entry 2.
249. Railroad Tax Books, v. 4, p. 6, see entry 44.

Springfield Railroad[250] (now the Chicago and Illinois Midland), the Springfield and Northwestern[251] (now the Chicago and Northwestern), and the section of the Alton along the eastern boundary of the county. In 1928 the Chicago and Northwestern possessed 19.04 miles of track valued at $242,212, and the Petersburg and Springfield had 29.31 miles of track valued at $974,288. The total railroad mileage in the county in 1909 as determined by the county board of review was 85.41 with a valuation of $1,678,144.[252] The tendency throughout the nation for the amalgamation of smaller railroads with larger ones was visible in Menard County. By 1940 the Chicago and Alton, the Chicago and Midland, and the Chicago and Northwestern railroads controlled the railroads in the county.[253]

Coal Mining

Contemporaneous with the coming of the railroad, the sinking of mine shafts and the beginning of the coal industry took place in the county. According to Attorney Henry C. Pond, coal mining began as early as 1848 when a draft mine was cut into the hillside six miles north of Petersburg. However, it was not until 1865 that a modern coal mine was sunk by Elijah Taylor in the southeast part

250. Priv. L. 1853, p. 3-8. On September 8, 1853 the county court ordered election on the question of authorizing a subscription of $50,000 to the railroad. The vote was in the affirmative, and A.R. Riggin was appointed county agent for the railroad. Commissioners' Court Record, v. 2B, p. 204, in County Commissioners' Record, see entry 2. See also p. 219,319. Priv. L. 1854, p. 165,166.
251. Miller, History of Menard, p. 247,248. For the provisions of purchasing $150,000 of stock in the Springfield and Northwestern, see County Court Record, v. 4, p. 14,52,53. On November 2, 1872 it was reported that the road was completed from Havana to Petersburg (ibid., p. 324).
252. Railroad Tax Books, v. 4, p. 7,8,9, see entry 44; Board of Review Docket, v. not labeled, p. 1, see entry 235.
253. Illinois Commerce Commission, Railroad Maps of Illinois 1928. See Illinois Department of Public Works and Buildings, Division of Highways, Maps of Menard County (1932), and Illinois Commerce Commission, Railroad Map of Illinois 1928 by P.H. Moynihan et al., for the location of the railroads in Menard County.

of the town of Petersburg.[254] The number of mines some twenty years later (1883) was 7; the number of tons produced, 134,275; their total value, $201,412; and the capital employed, $195,000. (See Table XIV)

Table XIV: Coal Statistics, 1883-1939[255]

Item	1883	1893	1903	1913	1923	1939
Number of Mines	7	9	16	12	14	11
Number of Tons Produced	134,275	281,635	492,328	169,149	128,222	115,647
Total Value of Tons Produced	201,412		534,231			
Capital Employed	195,000					
Tons Shipped out of County			476,409	122,209	36,443	
Local Mines			15,919	46,940	81,779	
Mined by Hand				169,149	128,222	42,939
Mined by Machinery						72,708
Sold to Local Trade					74,446	110,296

From 1883 to 1939 the number of mines and tons produced increased but slowly. Although coal was sold outside the county during the earlier decades the local market absorbed most of the coal mined. By 1939, as statistics

254. Interview with Mr. Pond of Petersburg, Illinois by WPA field worker.

255. Illinois State Board of Statistics, State Inspector of Mines, Statistics of Coal in Illinois, 1883, p. 12,13; 1893, p. 55; 1903, p. 39; 1913, p. 165, 1923, p. 190,191; Illinois Department of Mines and Minerals, Forty-Eighth Coal Report of Illinois, 1939, p. 162. For various items in the records dealing with the coal industry see Commissioners' Court Record, v. 3, p. 493; County Court Record, v. 5, p. 267; County Commissioners' Record, v. 6, p.44, see entry 2. The names of the eleven mines in 1940 as reported by Victor de Croix, WPA field worker in Menard County, are: Greenview Mining Co., Greenview; Johnson Valley Coal Co., Middletown; Harry A. Perkin's Coal Co., Athens; Indian Creek Coal Co., Petersburg; Charles Whitehurst Coal Co., Tallula; John W. Mallergren Coal Co., Petersburg; Klingbeil Brothers Coal Co., Petersburg; Fred W. Atken Coal Co., Tallula; Old Salem Coal Co., Petersburg; Lincoln Coal Co., Petersburg; and Tebrugge Brothers Coal Co., Petersburg.

show 110,296 tons of the 115,647 tons produced were sold to local trade.

Agricultural Prosperity and Depression

The period after the coming of the railroad and the development of the local mining industry also witnessed an increase in the number and value of farms. In 1880 there were 1,381 farms in the county; in 1900, 1,281. The value of the farms rose from $6,317,809 to $12,189,630. Farm implements and machinery were used more extensively in 1900 than in 1860; and the value of livestock increased from $795,000 to $1,546,251. The value of all farm products sold, consumed, or on hand was $993,681 in 1880, and $1,707,133 in 1900.[256] (See table XV, XVI and XVII)

Table XV: Bushels of Cereal Grains, 1880-1930[257]

Crop	1880	1900	1920	1930
Corn	1,964,837	3,276,720	2,031,301	2,076,155
Wheat	290,990	94,690	964,032	641,347
Oats	228,618	819,360	506,467	692,332
Rye	5,715	3,150	2,297	See "Oats"
Buckwheat	129			34

The decrease in the number of individual farms which was visible before the World War continued after the armistice. In 1920 there were 1,033 farms; in 1930, 1,034; and their value declined from $42,820,258 in 1920 to $24,039,056 in 1930 - the greatest depreciable item

256. The total acreage of farms remained fairly constant after 1880: in 1880, 191,283 acres; 1900, 191,761; 1920, 186,514; 1930, 188,804; and 1935, 184,611. The average size per acre increased from 139 acres in 1880 to 149.7 in 1900, 180.6 in 1920, and 182.6 in 1930, explaining in part the decline in the total number of farms. U.S. Department of the Interior, Census Office, Report on the Production of Agriculture, 1880, III, 46,47,112; Twelfth Census of the United States, 1900, v. V, Part I, Agriculture, p. 74,274; U.S. Bureau of the Census, Fifteenth Census of the United States, 1930, Agriculture, v. II, Part I, The Northern States, p. 568,572,573, 576,581,584,586,587,646,647,652,653.

257. Ibid.

being land.[258] The value of improvements and machinery and livestock also declined;[259] and the total worth of farm products fell by about three and a quarter million dollars.[260] Menard County was caught in the net of the nationwide agricultural depression that followed the Great War of 1914-1919.

Other statistical data dealing with farm income, population, indebtedness, tenure, and mechanization, and with the comparative value of farm products (state and county) around 1930 reveal the impact of the World War and urban industrialism on the agricultural economy of the county. In 1930 the rural population was 4,982 or 47.1

Table XVI: Other Agricultural Products, 1880-1930[261]

Products	1880	1900	1920	1930
Pounds				
Wool	41,936	25,046	15,123	15,247
Beeswax and Honey	16,547	21,180	8,172	16,212
Potatoes	26,482	50,029	22,449	25,199
Butter and Cheese	201,071	447,626	160,960	130,012
Maple Sugar	4,853	620		
Tons				
Hay	6,179	18,933	24,681	16,271
Bushels				
Clover and Other Grass Seeds	3	1,096		2,926
Dollars				
Nursery and Florist Produce	16,874			
Market Gardeners Produce	810			

258. U.S. Bureau of the Census, Fifteenth Census of the United States, 1930, Agriculture, v. II, Part I, The Northern States, p. 568,572,573,584,586,587.
259. Ibid., p. 590,595,634,635,652,653.
260. Ibid., p. 640,641.
261. U.S. Department of the Interior, Report on the Production of Agriculture, 1880, III, 185,221,268; Twelfth Census of the United States, 1900, v. V, Part I, Agriculture, p. 431-33,597,675; ibid., v. VI, Part 2, Agriculture, p. 160,236,270,367,485,548, 640,675; U.S. Bureau of the Census, Fifteenth Census of the United States, 1930, Agriculture, v. II, Part 1, The Northern States, p. 599,605,613,620,621,629.

Table XVII: Number of Livestock, 1880-1930[262]

Kind	1880	1900	1920	1930
Horses and Mules	7,985	9,333	8,677	6,148
Cattle	9,125	3,812	14,110	11,727
Milch Cows	3,292	3,812		
Sheep	6,133	5,248	2,540	4,038
Swine	39,514	54,151	39,383	48,643

percent of the total.[263] Farm incomes were derived, percentably, from the following specified sources: crops, 35.7; livestock, 44.4; livestock products, 10.9; and forest products, 0.6. The operators of the farms used about 8.7 percent of the products themselves. Crop and pasture lands were devoted largely to raising corn (30.2); winter wheat (22.3); rye (0.2); spring grains (11.0); and hay (6.5). Other crops took up 1.9 percent of the crop land, and pasture, idle, fallow, and "failure" lands amounted to 27.9 percent of the total crop and pasture land. The comparative average crop yields over the decade 1924-1933 shows that Menard County was a typical Illinois agricultural county with a crop yield index for corn, wheat, and oats of 103.1. During this period (1920-1940) as much as 90 percent of the county land was in farms.[264]

Even in the pre-World War period, in the more prosperous days, share-cropping and tenancy made their appearance in the county. The number of farms operated by their owners decreased from 889 in 1880 to 733 in 1900, 556 in 1920, and 522 in 1930; the number held on a rental basis were 84 in 1880, 186 in 1900, and 259 in 1920; and those in which the products were shared amounted to 408 in 1880, 356 in 1900, 218 in 1920 and 457 in 1930. Of the owner-operated farms in 1930, 48.7 percent were mortgaged in the county as compared to 41.3 percent in the whole state. The average mortgage debt in the county was $11,310 per farm mortgage; in the state, $6,182. The average rate of

262. U.S. Department of the Interior, Report on the Production of Agriculture, 1880, III, 150; Twelfth Census of the United States, 1900, v. V, Part 1, Agriculture, p. 431-33; U.S. Bureau of the Census, Fifteenth Census of the United States, 1930, Agriculture, v. II, Part 1, The Northern States, p. 590, 595,634,635.
263. Farm, Home and Community, p. 2.
264. Ibid., p. 3,15,16,38,41.

interest on the mortgage debt, however, was almost equal for the county and the state: 5.8 percent, state; 5.6 percent, county.[265]

Business and Manufacturing

The commercial activities of the county after the Civil War continued to be centered mainly around agricultural pursuits. The number of manufacturing establishments increased from 37 in 1860 to 42 in 1880 and 68 in 1900; but declined in number to 23 in 1919 and 6 in 1933. The average number of employees of the 68 establishments in 1900 was 77, only about 1 employee to a manufactory; in 1933, however, 23 employees were engaged in only 6 establishments. Moreover, wages, value of materials, and value of products were proportionately greater in 1930 than in 1900, illustrating the operation of the process of consolidation on a small scale. (See Table XVIII) Some of the establishments were plants manufacturing shale products, sanitary cans, and bricks.[266]

Social Development

The decline of population in the county after 1900 was reflected not only in the relative unchanging conditions in agriculture, business, and manufacturing, but also in the educational conditions in the county. The number of pupils in the schools declined after 1901; the number of schools and school districts remained practically stationary; and the number of teachers increased but slowly. While the number of libraries increased, especially after 1930, the number of volumes seems to have remained the same. School property value, however, rose uninterruptedly from 1869 to 1937. (See Table XIX) Illiteracy declined in the county, and in 1930 only 1.3 percent, or

265. U.S. Bureau of the Census, Fifteenth Census of the United States, 1930, Agriculture, v. II, Part 1, The Northern States, p. 646,647,652,653; Farm, Home and Community, p. 41.

266. Information obtained from Attorney H.C. Pond, Petersburg. An extensive venture in cattle feeding was instituted by Henry H. Marbold. Mr. Marbold died in 1915 leaving an estate of 6,000 acres of land and extensive cattle-feeding yards. This plant now is in charge of a trustee, Henry C. Pond, who marketed a thousand head of stock in mid-August 1936 because of the uncertain future. The plant usually feeds 2,000 head annually, and in past years it has sent prize stock to the stock shows.

Table XVIII: Manufacturing Statistics, 1860-1933[267]

Item	1860	1880	1900	1919	1927	1933
Number of Establishments	37	42	68	23	5	6
Capital	95,010	156,000	132,544			
Wages	34,512	28,809	28,916	46,471	32,589	15,461
Value of Material	165,400	191,322	79,056	172,718	48,854	79,724
Value of Products	239,133	294,673	186,639	276,610	99,526	129,554
Produced in Families	15,758					
Average Number of Hands Employed	107	144	77	65	34	23

Table XIX: School Statistics, 1869-1937[268]

Item	1869	1881	1901	1920	1930	1937
Children between 6 and 21	3,539	4,160	4,321	3,250	2,747	2,527
Number of Pupils	3,149	3,314	3,170	2,579	2,517	2,425
Number of Schools	60	63	62	62	54	61
Number of School Districts	59	61	57	60	59	57
Number of Teachers	85	92	98	110	118	117
Number of Private Schools	2	3				
Number of Private Pupils	18	100				
Number of District Libraries		4	24	12	36	66
Number of Volumes	417	104	2,740	4,422	16,979	16,336
Average Monthly Wage (Male)		45.73	62.01	111.96	111.22	101.23
Average Monthly Wage (Female)		37.08	42.44	70.28	91.18	83.66
District Tax Levy	23,790	23,484	49,125	137,425	1,788,500	153,001
Expenditures for Year	25,110	34,929	49,050	138,819	187,964	174,172
Value of School Property	98,605	57,524	123,900	373,310	525,500	825,071
Amount of School Debt		1,800	8,800	54,200	90,400	52,124

267. U.S. Secretary of the Interior, Eighth Census of the United States, 1860, v. III, Manufactures, p. 99; Tenth Census, 1880, v. II, Manufactures, p. 108; Twelfth Census, 1900, v. VIII, Part 1, Manufactures, p. 168,169; U.S. Bureau of the Census, Manufactures, 1919, Illinois, p. 5; Census of Manufactures 1927, Illinois, p. 3; Biennial Census of Manufactures 1933, p. 10.

268. Illinois Department of Public Instruction, Eighth Biennial Report, p. 290,291,294,298,306,345; Fourteenth Biennial Report, p. 363,367,369,379,380; Twenty-fourth Biennial Report, p. 182,183,185,189, 201,219; Thirty-third Biennial Report, p. 15,19,21, 29,51,53,115; Thirty-eighth Biennial Report, p. 15, 19,21,29,51,53,63,121; ibid., Illinois School Statistics the Year Ending June 30, 1937, p. 3,7,9, 17,29,39,45,123. See also Farm, Home and Community, p. 41.

116, were unable to read and write.[269]

The various religious groups established themselves more firmly throughout the county. In the latter half of the 1930's the Methodists had two churches in the county, one at Athens and the other at Petersburg, with a total membership of 581; the Baptists, three active churches with a total membership of 606; the Disciples, the most numerous group in the county, five active churches with a total membership of 1,068; the Presbyterians, five churches with a total membership of 796; the Cumberland Presbyterians, one active church at Petersburg with 110 members; and the Episcopalians, one organized church at Petersburg with 15 members and one preaching station at Tallula. The Catholics, possessed five churches located in and around Athens, Petersburg, and Greenview; the Evangelical Lutheran Church at Petersburg had members throughout the county as well as a branch established at Greenview about 1881 by Professor Winnekin of the Lutheran Theological Seminary at Springfield, with a total membership of 399; and the Evangelical and Reformed Church had two churches at Greenview and Petersburg with a total membership of 551.[270]

The newspapers in the county like the churches also achieved a more fixed status. The Petersburg Observer founded in June 1868 as the Menard County Republican, and the Petersburg Democrat, founded at the same time, continued to remain the leading newspapers in the county in

269. U.S. Department of the Interior, Twelfth Census of the United States, 1900, v. II, Population, p. 473; U.S. Bureau of the Census, Fifteenth Census of the United States, 1930, v. III, Part 1, p. 618.

270. See Methodist Episcopal Church, Illinois Annual Conference, Journal and Year Book, 1939, p. 876; Illinois Baptist State Convention, Annual, 1939, p. 95; Disciples of Christ, 1939 Year Book of the International Convention, p. 387; Presbyterian Church in the U.S.A., General Assembly, Minutes, 1939, Part 1, Journal and Statistics, p. 500,501; Cumberland Presbyterian Church, General Assembly, Minutes One Hundred Ninth Meeting (June 1939), p. 195; Protestant Episcopal Church in the United States of America, Year Book, 1940, p. 330; The Official Catholic Directory, 1935, p. 533-35; Evangelical Lutheran Synod of Missouri, Ohio and Other States, Statistical Year-Book, 1938, p. 43; Evangelical and Reformed Church, Statistical Tables of the Classes and Districts, 1937, p. 88.

1940. The editor of the Observer is S.L. Shaw (who has served that newspaper from 1919 to date); and the editor of the Democrat is Paul Rhodes.[271]

Conclusion

Menard County beginning its second century as a unit of the state can be proud of its record in the first hundred years of its history. The county board records show an honest, business-like handling of county affairs; money was spent wisely and with good judgment. Only at the end of the first hundred years were expenditures more than receipts and this because of many years of reduced personal incomes and increased relief needs. The infirm and disabled have always been adequately cared for; schools and school facilities liberally provided, and good roads made available for transportation and social advantages.

Viewing the history of Menard County retrospectively from the Civil War until 1941, one can note the following outstanding developments: (1) the replacement of the county court by the board of county commissioners' form of government, according to the Constitution of 1870; (2) the firm establishment of schools, churches, newspapers, and other social institutions; (3) the introduction of mechanization in agriculture, the coming of the railroad and the emergence of coal mining largely for local consumption; and (4) the necessity for the county government, like other county governments, to receive its share of help from the Federal government to carry on an enlarged social program.

271. Information furnished by WPA field worker at Petersburg, Menard County.

(First entry, p. 124)

2. GOVERNMENTAL ORGANIZATION AND RECORDS SYSTEM

Introduction

The county in Illinois is a corporate body[1] and an administrative unit of the state; its governmental organization is at all times largely an expression of this dual nature.

The growth of the county as a body politic is reflected, in each of the state's three constitutional periods, in a progressive expansion of the powers which may by law be exercised by the county board, and in the creation of new, and the extension of existing, county offices.

An analogous development appears in the state's invasion of new fields of government and the extension of the county's role as its agent. Originally, the county performed but a single important function for the state, that of collecting its share of the taxes levied within the county. Since then, however, education, public health, registration of vital statistics, public assistance, and many similar if less important matters have entered the province of state control or supervision. To effect this control, new governmental units, subcounty districts of various types, have come into existence or have been converted to new purposes; the county, because of its intermediate position, has become more important as a medium of that control.

Thus the complete operation of county government in Illinois brings into play a number of partly distinct authorities. Their relationships, at any time, are complex. The changing governmental organization of Menard County, therefore, is more easily traced from the viewpoint of the major functions of county government.

General Administration

General administrative jurisdiction over county business has always been vested in the county board. During the first constitutional period the county commissioners' court acted as the county board in all counties.[2] It was expressly declared to have no original or appellate jurisdiction in civil or criminal actions, but had all power

1. R.L. 1827, p. 107; R.S. 1845, p. 130; R.S. 1874, p. 306.
2. Const. 1818, Schedule, Sec. 4; L. 1819, p. 175,176.

necessary to the exercise of its jurisdiction in cases concerning the public affairs of the county collectively.[3] The commissioners were constitutional officers,[4] and elected;[5] the court existed solely by statutory provision.[6] Attached to it in a ministerial capacity was the independent statutory office of clerk of the county commissioners' court,[7] at first filled at the appointment of the court,[8] later by election.[9]

Under the second constitution, the newly created county court succeeded to the position of the county commissioners' court.[10] As an administrative body,[11] it was composed of the county judge, an elected, constitutional officer,[12] and two justices of the peace, elected at large.[13] Another new office, that of clerk of the county court, was created to provide it with a ministerial officer; the clerk also was elected.[14]

The Constitution of 1848 also made provision for a township form of county government.[15] The enabling acts provided that whenever the voters of a county might so determine, that county should adopt township organization, and provided also that the administrative body in such counties should consist of a board of supervisors, composed of members elected, one in each of the several townships.[16] Subsequent legislation permitted townships meeting certain population requirements to elect additional supervisors to meet with the board for the transaction of county business.[17] As township organization was never

3. L. 1819, p. 176.
4. Const. 1818, Schedule, Sec. 4.
5. L. 1819, p. 99; L. 1821, p. 80; L. 1837, p. 103,104.
6. L. 1819, p. 175.
7. Ibid.
8. Ibid.
9. L. 1837, p. 49; L. 1845, p. 28.
10. Const. 1848, Art. V, Sec. 19; L. 1849, p. 65.
11. The county court was also a court of law. For its jurisdiction as such, see Administration of Justice, Courts, p. 76.
12. Const. 1848, Art. V, Sec. 17.
13. Ibid., Sec. 19; L. 1849, p. 65,66.
14. Const. 1848, Art. V, Sec. 19; L. 1849, p. 63.
15. Art. VII, Sec. 6.
16. The original enabling act of 1849 (L. 1849, p. 190-224) was repealed two years later by a more comprehensive but essentially similar law (L. 1851, p. 35-78).
17. R.S. 1874, p. 1080; L. 1925, p. 605; L. 1929, p. 774; L. 1931, p. 905-10; L. 1933, p. 1115,1116.

adopted by Menard County, the county court was the administrative body in that county during the second constitutional period.

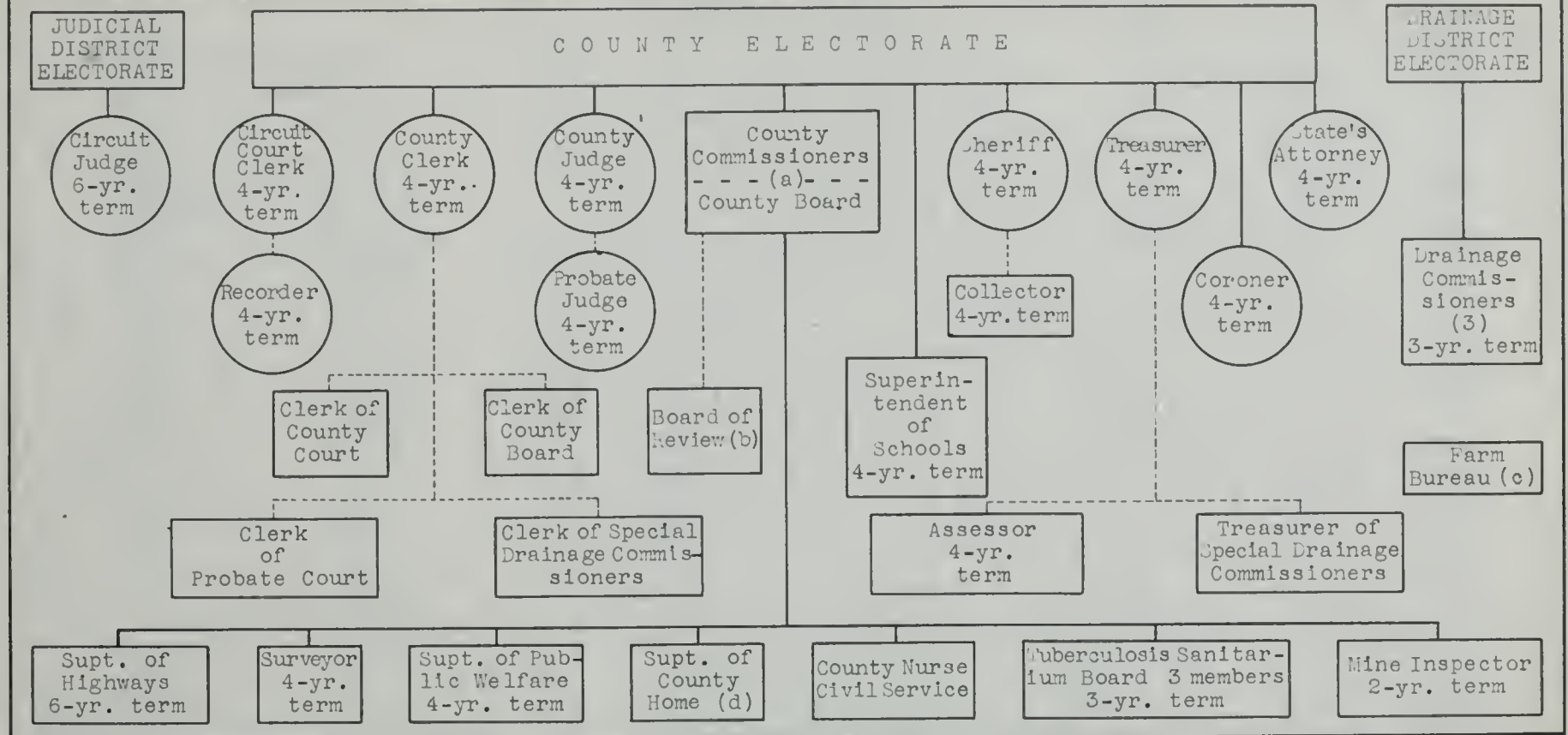
The Constitution of 1870 provided a new form of county board in counties not under township organization. This board was to be composed of three officers, styled commissioners, who would transact all county business as provided for by law.[18] Subsequent legislation granted to the board of county commissioners all powers and duties formerly exercised by the county court when acting in its administrative capacity.[19] Since 1873, Menard County has had a board of county commissioners who administer the affairs and transact all business of the county.

Concurrent with the changing organization of the county board is an expansion of its functions without, however, considerable extension beyond the original jurisdiction conferred upon the county commissioners' court. The authority of that body extended to the imposition and regulation of taxes,[20] a limited but increasing management of county property,[21] and a growing fiscal control, stringent in regard to tax collections,[22] sporadic in its check on the expenditures of other county offices.[23] The court additionally had power to appoint judges of election,[24] select juries,[25] and, with limitations, to provide for the construction and maintenance of roads and bridges.[26] Poor relief[27] and a tentative supervision of education[28] also fell within its general administrative jurisdiction.

The effect of subsequent legislation, in the main, has only been to broaden that jurisdiction. The county

18. Const. 1870, Art. X, Sec. 6.
19. L. 1873-74, p. 79.
20. L. 1819, p. 175.
21. Ibid., p. 237,238; L. 1842-43, p. 128.
22. L. 1819, p. 238,318; L. 1823, p. 208; R.L. 1827, p. 373,375; R.L. 1829, p. 121; L. 1842-43, p. 112; L. 1845, p. 11,12.
23. L. 1831, p. 175.
24. L. 1819, p. 90.
25. Ibid., p. 255; L. 1823, p. 182.
26. Either by calling on the able-bodied men of the county for labor or by raising bond issues by subscription (L. 1819, p. 333,334,336,337,343; L. 1821, p. 167; L. 1825, p. 130-33).
27. L. 1819, p. 127; L. 1839, p. 138,139.
28. R.S. 1845, p. 500,501.

GOVERNMENTAL ORGANIZATION OF MENARD COUNTY, 1941



(a) County Board composed of 3 commissioners, elected for a 3-year term.
(b) Composed of the 3 county commissioners acting ex officio as Board of Review, serving for 3 years.
(c) See Farm Bureau, Chapter XXIII.
(d) Serves until successor is appointed.

LEGEND

○ Constitutional Office or Body

▭ Statutory Office or Body

----- Shows ex officio relationship

board has been given full power to purchase, contract for, dispose of, and make regulations concerning all real and personal property of the county.[29] It is now required also to audit all claims against the county and the accounts of such officers as were not provided for by law.[30] Otherwise, the changes in form of the county board in Menard County have not materially affected the general administrative jurisdiction of that body.[31]

Finances

In Illinois counties, there has always been a close relationship between the taxation processes and fiscal control. This circumstance, as well as frequent evidence of the county board's ultimate control in such matters, appears in a resume of the legal status and duties of the officers involved.

Taxation

The assessment function in taxation was delegated by the first General Assembly to the county treasurer, a statutory officer appointed by the county commissioners' court.[32] The administrative body, within statutory limits, fixed the amount of the levy, while the value of many categories of real and personal property was fixed by law; however, a limited discretion was left to the assessing officer.[33] In 1825, assessments were made by the county assessor, also an appointee of the county commissioners' court.[34] This duty reverted to the county treasurer in 1827[35] and continued to be vested in that office until 1839, when the General Assembly provided for the appointment by the county commissioners' court of district assessors, not to exceed one in every justice's district.[36] The assessment function reverted to the treasurer in

29. L. 1849, p. 202; L. 1851, p. 50,51; L. 1861, p. 235, 236; R.S. 1874, p. 306,307; L. 1911, p. 245,246; L. 1923, p. 304,305; L. 1937, p. 453,454.
30. L. 1849, p. 202; L. 1851, p. 51; R.S. 1874, p. 307; L. 1923, p. 299.
31. Cf. this running summary with R.S. 1874, p. 306,307 and Ill. Rev. Stat. 1939, p. 942-44.
32. L. 1819, p. 315.
33. Ibid., p. 313,319; L. 1825, p. 173; L. 1839, p. 4-6; L. 1840, p. 4; L. 1845, p. 6.
34. L. 1825, p. 173.
35. R.L. 1827, p. 330.
36. L. 1839, p. 4.

1844[37] and has been vested in that office ever since,[38] with the exception of one year, 1872, when the county assessor was appointed by the county board.[39] Today, the principal duties of the assessing officers, taken together, are to bring up to date each year the periodic assessment of real property, to take current lists of, and appraise personal property and special categories of other property.[40] The treasurer in Menard County now has the status, ex officio, of county assessor.[41]

Before the creation of a board of review the functions which today fall within its scope were performed, in substance, by various officers. In the first constitutional period, it was left to interested individuals or parties to report property omitted from assessment; the county commissioners' court could hear appeals from assessments, but there was no provision for their equalization by districts.[42] During the second constitutional period, appeals, in Menard County, were made to the county court.[43] The county court continued to exercise this jurisdiction until it was supplanted in 1873 by a board of county commissioners, in accordance with constitutional and statutory provisions.[44] An act of 1872 constituted the board of county commissioners a board of review with authority to assess omitted property, make alterations in the description of lands of non-residents, review assessments upon complaint, and equalize valuations between towns.[45] The board of county commissioners has retained this jurisdiction ever since.

The collection function was originally performed in all counties by the sheriff, an elected, constitutional

37. L. 1843, p. 231.
38. L. 1873-74, p. 74; L. 1881, p. 62; L. 1898, p. 36; L. 1923, p. 491.
39. L. 1871-72, p. 20.
40. L. 1853, p. 16,17; L. 1871-72, p. 11,14,15,19,23; L. 1873, p. 51; L. 1879, p. 241-45; L. 1881, p. 133, 134; L. 1885, p. 234; L. 1895, p. 300,301; L. 1905, p. 360; L. 1915, p. 568; L. 1923, p. 495,500; L. 1931-32, First Sp. Sess., p. 69.
41. L. 1873, p. 74; L. 1898, p. 36; L. 1923, p. 491.
42. L. 1819, p. 316; R.L. 1827, p. 330; L. 1839, p. 7; L. 1845, p. 8.
43. L. 1849, p. 65.
44. Const. 1870, Art. X, Sec. 6; L. 1873-74, p. 79,80.
45. L. 1871-72, p. 24,25.

officer.[46] Its nature has changed little since that time. Essentially, the collecting officer collects taxes according to information originating outside his jurisdiction, pays over such sums to authorities designated by statute to receive them, and reports on payments of taxes and delinquencies.[47] In 1839, by a development analogous to that which occurred with regard to assessments, the county board's control was extended to enable it to appoint a separate county collector.[48] Soon after, the law reverted to the earlier situation, with the sheriff acting, ex officio, as collector[49] and he has continued to act in this capacity in Menard County ever since.[50]

Coordination of the taxation processes has always been effected by the county clerk or his predecessors. The assessment books are made out by the clerk, and returned to him by the assessor; similarly, the collector reports on collections on delinquent property; finally, the treasurer's receipts to the collector for taxes paid come into his possession, and the centralization of records concerning the basic taxation procedure is completed.[51]

Fiscal Control

The fiduciary function in county finances is performed by the county treasurer alone. The duties of the office have remained substantially the same since its creation, namely: to receive, principally from the collectors of taxes, the revenue of the county; to have custody of its funds; and to disburse funds only on specific authorization by law, or in accordance with the order of the

46. Const. 1818, Art. III, Sec. 11; L. 1819, p. 316.
47. Ibid., p. 316-18, L. 1821, p. 182,183; R.L. 1827, p. 332,333; R.L. 1829, p. 121-23; L. 1831, p. 125; L. 1837, p. 194,195; L. 1839, p. 7-12; L. 1843, p. 234; L. 1845, p. 11; L. 1847, p. 81; L. 1871-72, p. 55,57,58.
48. L. 1838-39, p. 7.
49. L. 1843, p. 234.
50. L. 1853, p. 99; L. 1871-72, p. 35.
51. L. 1819, p. 317; R.L. 1827, p. 373; L. 1837, p. 194, 195; L. 1839, p. 8-12; L. 1840, p. 3; L. 1845, p. 9, 11; L. 1853, p. 77,111; L. 1871-72, p. 32,34,35,46, 56-58; L. 1873-74, p. 51; L. 1911, p. 485; L. 1917, p. 654; L. 1919, p. 765; L. 1931, p. 747.

county board.[52] Through this last requirement, and that of the treasurer to report periodically to the board on the transactions of his office, in addition to his regular settlement with it, the lines of financial authority once more lead to the county board.[53]

Administration of Justice

Courts

Justice, in Illinois counties, has been administered by a constantly increasing number of bodies. The Constitution of 1818 vested the judicial powers of the state in a Supreme Court and such inferior courts as the General Assembly should ordain and establish; required the Supreme Court justices to hold circuit courts in the several counties; and provided for the appointment, in such manner and with such powers and duties as the General Assembly should direct, of a competent number of justices of the peace in each county.[54]

Federal statutes already allowed circuit courts in all states jurisdiction over the naturalization of aliens;[55] the first state legislature additionally conferred jurisdiction over all causes at common law and chancery and over all cases of treason, felony, and other crimes and misdemeanors.[56] The legislature further required that two terms of a circuit court be held in each county annually by one of the Supreme Court justices[57] but in 1824, provision was made for the holding of circuit courts by separate circuit court judges, to be appointed, as were the Supreme Court justices, by both branches of the General Assembly, and to hold office during good behavior.[58]

52. L. 1819, p. 315,316; R.S. 1845, p. 138; L. 1861, p. 239; R.S. 1874, p. 323,324.
53. L. 1819, p. 318; L. 1837, Sp. Sess., p. 59,60; L. 1845, p. 33; R.S. 1845, p. 138,139; L. 1861, p. 239,240; R.S. 1874, p. 323,324.
54. Art. IV, Sec. 1,4,8.
55. 2 U.S. Stat. 153-55.
56. L. 1819, p. 380.
57. Ibid., p. 378.
58. L. 1824, p. 41. The Constitution of 1818, which had required that Supreme Court justices be appointed by the General Assembly, further provided that they should not, after the first session of the legislature subsequent to January 1, 1824, hold circuit courts unless required to do so by law (Art. IV, Sec. 4).

In 1827 the General Assembly repealed the 1824 law, and again provided for circuit courts to be held by Supreme Court justices.[59] At the next session of the legislature, when a new circuit was established, provision was made for the appointment of a circuit court judge to act therein.[60] At that time, therefore, the circuit courts were held by Supreme Court justices in four judicial circuits and by a circuit judge in the fifth.[61] A change was made again in 1835, when power to hold circuit courts was taken away from the Supreme Court justices and provision was made for the appointment of five circuit judges, in addition to the one already authorized, to hold circuit courts.[62] The six judicial circuits existing at that time were supplemented during the next few years by the creation of new circuits,[63] so that they numbered nine in 1841 when the office of circuit judge was again abolished and the Supreme Court justices, also increased to nine, were required to hold circuit courts.[64] Then in 1849 another change was made in accordance with the second constitution which provided for the election of circuit judges by the judicial district electorate.[65] This system has continued from that date until the present.[66]

The authority of justices of the peace was limited by law to jurisdiction in specified civil cases and in misdemeanors, with appeals allowed from their judgments to the circuit court.[67] The power of appointment, the legislature at first reserved to itself;[68] in 1827, however, justices of the peace were required to be elected, two in each of such districts as should be determined within statutory limits by the county commissioners' court.[69]

59. R.L. 1827, p. 118,119.
60. R.L. 1829, p. 38.
61. Ibid., p. 42,48.
62. L. 1835, p. 150.
63. L. 1837, p. 113; L. 1838-39, p. 156.
64. L. 1841, p. 173.
65. Const. 1848, Art. V, Sec. 7,15.
66. Const. 1870, Art. VI, Sec. 13.
67. L. 1819, p. 185,192,195.
68. Ibid., p. 22.
69. R.L. 1827, p. 255,256. Since 1821, however, the county commissioners' court had been required to establish such districts, which also constituted general election precincts (L. 1821, p. 74). For changes in the statutory limitations of this power of the court, see R.L. 1827, p. 255, and R.L. 1829, p. 93.

Jurisdiction over probate matters was at the outset delegated to the county commissioners' court.[70] By act of the next General Assembly, it was transferred to the court of probate,[71] consisting in each county of one judge appointed by the General Assembly.[72] As a result of the substitution in 1837 of probate justices of the peace for the judges of probate,[73] jurisdiction over probate matters for the first time was placed in the hands of elected officers.[74]

The county court was the creation of the second constitution,[75] which also made circuit judges elected officers.[76] With regard to the new court, it was further provided by law that it should be held in each county by a single elected officer, the county judge.[77] Its authority was extended to jurisdiction in all probate matters, and to such jurisdiction in civil and criminal cases as might be conferred by the General Assembly.[78] In pursuance of this latter provision, the county court was first given the same civil and criminal jurisdiction as justices of the peace;[79] at the same session of the General Assembly, however, it was declared that county judges when exercising this jurisdiction, acted only in the capacity of justices of the peace.[80] Until the next constitutional period, the county court, as such, was given jurisdiction only in a limited number of special actions;[81] it was however, considered entitled to equal jurisdiction with the circuit court over naturalization.[82] In this same period, provision was made for increasing, on the basis of population,

70. L. 1819, p. 223-33.
71. L. 1821, p. 121.
72. Ibid., p. 119. The Constitution of 1818 (Art. IV, Sec. 4) had also designated this manner of election for judges of all inferior courts.
73. L. 1837, p. 176,177.
74. The Constitution of 1818 (Art. IV, Sec. 8) had reserved to the General Assembly the right to prescribe the manner of appointment of justices of the peace.
75. Const. 1848, Art. V, Sec. 1,16.
76. Ibid., Sec. 7,15.
77. Ibid., Sec. 17.
78. Ibid., Sec. 18.
79. L. 1849, p. 65.
80. Ibid., Second Sess., p. 15.
81. L. 1849, p. 65,66; L. 1853, p. 103; L. 1861, p. 171, 172.
82. 2 U.S. Stat. 155.

the number of justices of the peace to be elected in each district. In Menard County, and others similarly organized, one additional justice of the peace is now elected for every 1,000 inhabitants exceeding 2,000 inhabitants in each election precinct.[83]

Provision was first made by the Constitution of 1870 for the establishment by the General Assembly of an independent probate court in each county having a population of more than 50,000 inhabitants.[84] As first established by statute, the new courts were to be formed in counties of 100,000 or more inhabitants.[85] This population requirement was lowered to 70,000 in 1881.[86] The population of Menard County not having reached this figure, jurisdiction over probate matters has continued to be vested in the county court in accordance with constitutional provision to that effect.[87] The county court, early in this period, was given concurrent jurisdiction with the circuit court in appeals from justices of the peace;[88] its original jurisdiction was extended to be equal with that of the circuit court in all that class of cases cognizable by justices of the peace[89] and involving in controversy sums not exceeding $500.[90] In 1906, however, it lost its naturalization jurisdiction since it failed to meet the additional requirement of Federal legislation that it possess jurisdiction at law without limitation upon amounts in controversy.[91] The present constitution, also, for the first time, directed the manner in which the

83. L. 1854, p. 30. No more than five justices, however, may be elected from any town or election precinct.
84. Art. VI, Sec. 20.
85. L. 1877, p. 79,80.
86. L. 1881, p. 72. In 1933, the act of 1877 was further amended to make the establishment of an independent probate court mandatory in counties having a population of 85,000 or more, and optional in counties having a population of between 70,000 and 85,000 (L. 1933, p. 458).
87. Const. 1870, Art. VI, Sec. 18; L. 1877, p. 80; L. 1881, p. 72.
88. R.S. 1874, p. 340; L. 1877, p. 77; L. 1895, p. 212, 223.
89. The jurisdiction of justices has also been progressively increased during this period. See L. 1871-72, p. 524; L. 1895, p. 189,190; L. 1917, p. 562,563; L. 1929, p. 541,542.
90. L. 1871-72, p. 325.
91. 34 U.S. Stat. 596.

General Assembly should establish judicial circuits, requiring that circuits be formed of contiguous counties and that they should not exceed in number one circuit for every 100,000 of population of the state.[92] At present there are eighteen circuits in Illinois, and Menard County is attached to the eighth circuit.[93]

Clerks of Courts

The clerk of the circuit court under the Constitution of 1818, was to be appointed by a majority of the justices of that court.[94] Since 1849, however, by provisions of the Constitutions of 1848 and 1870, the office has been filled by election.[95] The office of clerk of the county court, which was an independent elective office under the second constitution,[96] is now filled, ex officio, by the county clerk[97] who is also required by constitutional provision to be elected.[98] The county commissioners' court, which for a brief period held jurisdiction over probate matters, had its own clerk who was at that time appointed by the court.[99] Probate judges and justices of the peace who subsequently held probate jurisdiction, were required to act as their own clerks.[100] With the transfer of probate jurisdiction to the county court, the clerk of the county court was required to keep, separately, records of probate proceedings and business.[101] In Menard County where the county court still retains probate jurisdiction, the county clerk serves it in those matters in his capacity as clerk, ex officio, of the county court.[102] Justices of the peace have always been required to keep their records in person.[103]

92. Const. 1870, Art. VI, Sec. 13.
93. L. 1933, p. 436.
94. Art. IV, Sec. 6.
95. Const. 1848, Art. V, Sec. 21,29; Const. 1870, Art. X, Sec. 8.
96. Const. 1848, Art. V, Sec. 19.
97. R.S. 1874, p. 260.
98. Const. 1870, Art. X, Sec. 8.
99. L. 1819, p. 175.
100. L. 1821, p. 119,120; L. 1837, p. 177,178.
101. L. 1849, p. 66.
102. R.S. 1874, p. 260.
103. L. 1819, p. 185-97 (no specific record-keeping requirement listed among general duties of justices), 326 (establishing fees to be paid justices for keeping records); R.L. 1827, p. 260 (becomes definite provision for justices to keep own records); L. 1895, p. 221,222.

Ministerial Officers

The principal ministerial officer of all courts of record in Illinois counties is the sheriff. The first constitution provided that the sheriff should be elected.[104] Later, in 1827, statutory provision was made for the appointment of deputies by the principal officer;[105] since 1870, the number of deputies that the sheriff may appoint is determined by rule of the circuit court.[106] The ministerial duties of the sheriff have undergone little change in more than one hundred years. Essentially, he is to attend, in person or by deputy, all courts of record in the county, obeying the orders and directions of the court, and to serve, execute, and return all writs, warrants, process, orders, and decrees legally directed to him.[107]

The coroner was originally given equal power with the sheriff as a ministerial officer of the courts.[108] He was also required to serve all process in any suit in which the sheriff was an interested party[109] and to perform all the duties of the sheriff when that office was vacant.[110] The last two functions are still incumbent upon the coroner.[111]

Justices of the peace are served similarly in a ministerial capacity by constables. Not until 1870 was the office of constable given constitutional recognition;[112] at its creation by the first General Assembly, the county commissioners' court was empowered to appoint one or more constables in each township;[113] in 1827 it was provided that two constables should be elected in each

104. Const. 1818, Art. III, Sec. 11.
105. R.L. 1827, p. 373.
106. Const. 1870, Art. X, Sec. 9.
107. L. 1819, p. 111; R.S. 1874, p. 990,991.
108. L. 1819, p. 111.
109. L. 1821, p. 20-33.
110. R.L. 1827, p. 372,373.
111. Despite the absence from the present law of statutory provision for the coroner to serve process originally directed to him (R.S. 1874, p. 281,282), the courts have held that he may so do, an emergency being presumed to exist without need for the process to recite reason for its issuance to the coroner (20 Ill. 185; 57 Ill. 268).
112. Const. 1870, Art. VI, Sec. 21.
113. L. 1819, p. 162.

justice of the peace district.[114] Since that date, subsequent legislation has grouped justices of the peace and constables in all provisions regarding their election.[115] Constables, like sheriffs and coroners, have always been required to serve and execute all process legally directed to them;[116] process issuing from a justice of the peace court, however, may be directed only to some constable of the same county.[117]

Prosecutions

The duty of the present state's attorney to prosecute and defend all actions, civil or criminal, involving the county, the people, or officers of the state or county,[118] was incumbent originally upon the circuit attorney.[119] In 1827 this officer was replaced by the state's attorney.[120] Also in effect from an early date is the officer's other major duty, apart from the enforcement of law,[121] of giving opinions on any question of law relating to criminal or other matters in which the people of the county may be concerned.[122]

The offices of circuit attorney and early state's attorney, which existed solely by statutory provision,[123] were appointive by the Governor until 1835,[124] and thereafter by the General Assembly.[125] The second constitution provided for an elected state's attorney;[126] since each

114. R.L. 1827, p. 258.
115. See Courts, p. 76.
116. L. 1819, p. 162,163; R.S. 1874, p. 400.
117. L. 1819, p. 186; R.S. 1845, p. 317; L. 1871-72, p. 525; L. 1895, p. 191,193; L. 1937, p. 900. Similarly, process issuing from courts of record is required to be directed to the sheriff or, under certain conditions noted (footnotes 108,109,110, p. 81), to the coroner (R.S. 1845, p. 413; L. 1871-72, p. 338; L. 1907, p. 444,445; L. 1933, p. 786; L. 1937, p. 989).
118. R.S. 1874, p. 173,174.
119. L. 1819, p. 204; L. 1825, p. 178,179.
120. R.L. 1827, p. 79,80.
121. See Enforcement of Law, p. 84.
122. R.S. 1845, p. 76; R.S. 1874, p. 174.
123. L. 1819, p. 204-6.
124. Ibid., p. 204.
125. L. 1835, p. 44.
126. Const. 1848, Art. V, Sec. 21. The new title, however, had already come into occasional use in the interim (R.L. 1827, p. 79,80; L. 1835, p. 44; L. 1847, p. 18,19).

judicial circuit was an elective district for this purpose, the territorial jurisdiction of the new officer remained the same as that of the former officer.[127] Not until the adoption of the present constitution was provision made for the election of a separate state's attorney in each county.[128]

Inquests

The holding of inquests, one of the duties of the coroner in Illinois counties, is also a part of the administration of justice. The office of coroner was created by the first constitution and required to be filled by election;[129] the statutory provisions concerning the inquest function have not changed substantially since their enactment by the second General Assembly.[130] The coroner, when informed of the body of any person being found dead, supposedly by violence, casualty, or undue means, is required to summon a jury to inquire how, in what manner, and by whom or what, death was caused; testimony of witnesses is taken; witnesses whose evidence implicates any person as the unlawful slayer of the deceased are bound over to the circuit court; the verdict of the jury is returned to the clerk of that court.[131]

The verdict of the coroner's jury, however, is not generally admissible in evidence;[132] additionally, it is not held to be prima facie proof of matters stated therein with regard to the cause and manner of death;[133] its essential nature, therefore, is that of a finding of facts upon the basis of which the coroner may be led to discharge his collateral duty to apprehend and commit to jail any person implicated by the inquest as the unlawful

127. Const. 1848, Art. V, Sec. 28.
128. Const. 1870, Art. VI, Sec. 22.
129. Const. 1818, Art. III, Sec. 11.
130. Cf. L. 1821, p. 22-24; R.S. 1845, p. 517,518; R.S. 1874, p. 282-84; Ill. Rev. Stat. 1939, p. 820-22.
131. L. 1821, p. 24,25; R.S. 1845, p. 518; R.S. 1874, p. 284; L. 1879, p. 82; L. 1907, p. 213; L. 1919, p. 403,404; L. 1931, p. 388,389.
132. 46 N.W. 872. It is, however, held to be proper practice to offer, in cross-examining witnesses sought to be impeached, excerpts from transcripts of testimony taken at the inquest (189 Ill. App. 556; 211 Ill. App. 474).
133. 201 Ill. App. 287.

slayer of the deceased.[134] To this extent, the coroner's inquest duties overlap his function as an officer for the enforcement of law.

Enforcement of Law

Sheriffs, coroners, and constables have always been charged equally with keeping the peace and apprehending all offenders against the law.[135] The state's attorney's powers as an officer for the enforcement of law originally derived by implication from another duty:[136] the gathering of evidence and the apprehension of offenders is necessarily involved in commencing and prosecuting actions in which the people of the state or county are concerned.[137] In relatively recent years, however, the state's attorney has been given more specific statutory powers to enforce laws and to investigate violations and secure necessary evidence thereof.[138] But at any time the effective spheres of authority of law enforcement officers have been determined less by statutory provisions than by local conditions and individual circumstances.

Elections

Elections were originally under control of the county commissioners' court.[139] It appointed three judges of election for each precinct, which at first consisted of an entire congressional township.[140]

When the Constitution of 1848 was adopted, the control of election officials remained in the county commissioners' court until the entire jurisdiction of that court was vested in the new administrative county court.[141] Little change was made during this constitutional period; the judges of election continued to be appointed by the county court or board doing county business, and the clerks to be appointed by the judges. Even the event of

134. L. 1821, p. 25; R.S. 1845, p. 518; R.S. 1874, p. 283, 284.
135. L. 1819, p. 111,162,163; R.S. 1845, p. 515; R.S. 1874, p. 400.
136. See Prosecutions, p. 82.
137. L. 1819, p. 204; R.S. 1845, p. 76.
138. L. 1885, p. 3; L. 1907, p. 268; L. 1913, p. 395; L. 1915, p. 368; L. 1927, p. 33.
139. L. 1819, p. 90; R.L. 1829, p. 55.
140. L. 1819, p. 90,91.
141. L. 1849, p. 65.

registration[142] and the new Constitution of 1870 brought but slight alteration in the main election procedure; county boards, whether made up of town supervisors or county commissioners, still appointed the judges of election. However, in counties under township organization, three of these judges now had to be the town supervisor, assessor, and collector in the election district in which they resided.[143] The judges continued to appoint the clerks.[144] The election board also became the board of registry.[145] Three judges of election and two clerks had been the rule, but in 1885 the number of clerks was increased to three.[146] By an amendment, to the 1872 act in regard to elections,[147] only the town supervisor in counties so organized was required to be one of the judges of election in the district or precinct in which he resided.[148] The county board continued to appoint judges of election if they were not elected or appointed by election commissioners.[149]

When a city, village or incorporated town adopted the city election law,[150] a marked change in procedure took place. This change called for the appointment by the county court of the county in which the city, village, or incorporated town was located, of a board of election commissioners composed of three members.[151] Names of proposed precinct election board members, both judges and clerks, were to be submitted by the board of election commissioners to the county court for appointment and approval,[152] and upon approval they, like the commissioners, became officers of that court and liable in a proceeding for contempt for any misbehavior in their office.[153]

In 1819, voting was by ballot, either printed (but not at public expense) or written.[154] Then in 1821, oral

142. L. 1865, p. 54.
143. L. 1871-72, p. 386.
144. Ibid.
145. L. 1873-74, p. 96.
146. L. 1885, p. 195.
147. L. 1872, p. 380.
148. L. 1903, p. 173.
149. L. 1905, p. 202; L. 1935-36, Fourth Sp. Sess., p. 28.
150. L. 1885, p. 142.
151. Ibid., p. 147; L. 1899, p. 163.
152. L. 1885, p. 150,151; L. 1899, p. 167.
153. L. 1885, p. 151; L. 1899, p. 107.
154. L. 1819, p. 93.

voting was introduced[155] only to be soon replaced by a combination of the two methods in which the elector prepared his ballot, handed it to a judge of election and the judge read aloud the names of the persons voted for and the clerks recorded the vote.[156] Constitutional recognition of voting by ballot was given in 1848.[157] The Constitution of 1870 provided for cumulative voting so as to enable minorities to have representation in the General Assembly.[158] The next great change was the introduction of the secret or Australian ballot, still in use today and the printing and distribution of all ballots at public expense.[159] Voting machines were authorized in 1903.[160] Challengers and watchers for the various candidates were first permitted in 1927.[161]

Registry of voters to prevent fraudulent voting was first required in 1865[162] and absentee voting was also allowed to enable those in military service of the United States to vote by giving a power of attorney to a resident elector to cast the vote for the absentee.[163] During the World War this was changed so that ballots were sent to the army officers, and soldiers, having chosen their election board, voted wherever they happened to be, but not less than five or more than twenty days prior to the general election day.[164] Absentee registration, however, did not come until 1927.[165] Permanent registration came nine years later,[166] and was intended to make the elector's registration permanent until his death or change of residence or change of name.[167] Registration is under the control of the county board, county clerk, and county court[168] except in cities, villages, and incorporated towns which have adopted the election act.[169] In these

155. L. 1821, p. 73.
156. R.L. 1829, p. 57; R.S. 1845, p. 217.
157. Const. 1848, Art. VI, Sec. 2.
158. Art. IV, Sec. 7,8.
159. L. 1891, p. 108.
160. L. 1903, p. 178.
161. L. 1927, p. 443.
162. L. 1865, p. 54.
163. Ibid., p. 60.
164. L. 1917, p. 441.
165. L. 1927, p. 443.
166. L. 1936, Fourth Sp. Sess., p. 50-53.
167. Ibid.
168. L. 1865, p. 54,59; L. 1871-72, p. 385,390,391.
169. L. 1885, p. 147; L. 1936, Fourth Sp. Sess., p. 50-53.

cities, villages, and incorporated towns, registration is under the direction of a board of election commissioners as well as the county court.[170]

Women were first allowed to vote in elections for school officials;[171] twenty-two years later, in 1913, their voting power was enlarged to include elections for: presidential electors, members of the State Board of Equalization, clerk of the appellate court, county collector, county surveyor, members of the board of assessors, members of the board of review, sanitary district trustees, and all officers of cities and towns (except police magistrates) and on all questions and propositions submitted to a vote of the electors of such municipalities or other political divisions of the state. This franchise also extended to the following township officers: supervisor, town clerk, assessor, collector, and highway commissioner, and an active participation in all town meetings.[172] They had to meet the same requirements as men as to age, residence, and registrations.[173] General suffrage was granted to women in 1921[174] in accordance with the Nineteenth Amendment to the Federal Constitution, which became effective on August 26, 1920.

Education

The act of Congress providing for the creation and admission of the State of Illinois to the Union set aside section sixteen of every township for the use of schools.[175] The first state legislation on the subject was concerned only with the establishment of school districts and the sale or leasing of school land to provide necessary funds, for which purposes three trustees of school lands were appointed in each township by the county commissioners' court.[176]

In 1825, however, with a common school system in operation, provision was made for its educational as well as financial administration. Three elected officers, known as township school trustees, were charged in each township with superintending schools, examining and em-

170. L. 1936, Fourth Sp. Sess., p. 50-53.
171. L. 1891, p. 135.
172. L. 1913, p. 333.
173. Ibid.
174. L. 1921, p. 430.
175. 3 U.S. Stat. 428.
176. L. 1819, p. 107,108.

ploying teachers, leasing all land belonging to the district, and reporting annually to the county commissioners' court; this report, however, was limited to such matters as were concerned in the financial administration of the schools.[177] In 1827 the county commissioners' court was again empowered to appoint trustees of school lands, but despite the use of the earlier, more limited title, these officers were charged with all the duties of the former township school trustees.[178] The creation of the office of county school commissioner in 1829 brought a new element into the complex situation. The commissioner was at first given limited duties with regard to the sale of school lands and the management of school funds;[179] his subsequent gains in this respect at the expense of the township trustees[180] foreshadowed the demarcation of spheres of authority that was made in 1847. In the interim, the school commissioner, who had first been appointed by the county commissioners' court,[181] became an elected officer;[182] in such townships as elected to incorporate for the purpose of organizing and supporting schools, . township trustees also became elected officers and were then denominated trustees of schools.[183]

The situation created by the legislation of 1847 in certain respects has not since been substantially altered. In all counties, township trustees became, and are still, elected officers, styled township school trustees.[184] The relative authority of the county school commissioner[185] and of officers of the township with regard to financial administration was fixed essentially as at present.[186]

177. L. 1825, p. 121,122.
178. R.L. 1827, p. 366-70.
179. R.L. 1829, p. 150-54.
180. Cf. L. 1831, p. 176; L. 1841, p. 275-79.
181. R.L. 1829, p. 150.
182. L. 1841, p. 261,262.
183. Ibid., p. 273,274. In unincorporated townships, trustees continued to be appointed by the county commissioners' court (ibid., p. 259,260).
184. L. 1847, p. 128; L. 1909, p. 350.
185. The subsequent substitution of an independent elected superintendent of schools for the school commissioner who had additionally been superintendent, ex officio (see footnotes 188 and 189), was only a change in legal status of the officer of the county and had no further import.
186. L. 1847, p. 123,124,126,129; L. 1909, p. 351-54; L. 1927, p. 794,795.

However, township trustees lost practically all their former duties with regard to matters purely educational as a result of a development that occurred in 1845.

It was at that time that the county first entered into the actual administration of education with the passage of a law providing for a superintendent of schools.[187] Filled at first by the school commissioner in an ex officio capacity,[188] it quickly absorbed most of the functions of township trustees with regard to the advancement of education;[189] later, the office came to be filled by election[190] and completely absorbed that of school commissioner.[191] In the new field of county administration of education, the superintendent's duties remained constant through his change in legal status, requiring him to visit all the townships in his county and inquire into the condition and manner of conducting their schools, to examine persons proposing to teach school, to grant certificates to persons qualified to teach in schools, and to report to the county board on all his acts relating to the management of school funds and lands.[192] Subsequent legislation has enlarged the scope of this phase of the superintendent's functions, but it is in his role as an agent of state supervision that he has been charged with numerous duties of a new character.[193]

The authority of the state with regard to education, first manifested in 1845, has, like that of the county, been extended beyond its original bounds. Originally the county superintendent was required only to communicate to

187. R.S. 1845, p. 498.
188. Ibid.
189. Ibid., p. 497-503. Cf. L. 1825, p. 121,122; R.L. 1827, p. 366-70; L. 1831, p. 173; L. 1841, p. 270,275,276,279. The only duty of this category that was left to township trustees in the laws of 1847 concerned the examination of prospective teachers and the issuance of certificates where merited (L. 1847, p. 130).
190. L. 1865, p. 112.
191. Ibid., p. 112,113.
192. R.S. 1845, p. 498-501. Cf. L. 1847, p. 121-25; L. 1857, p. 261-65,278,279,296,297; L. 1861, p. 190, 191; L. 1865, p. 114,119-21.
193. L. 1909, p. 247-50; L. 1915, p. 636-38.

the State Superintendent of Common Schools[194] information concerning the schools in his county.[195] Today, as a consequence of the state's increasing intervention in matters of public health and safety, the county superintendent is required to inspect, with regard to specifications, plans submitted to him for the heating, ventilation, lighting, etc., of public school rooms and buildings; to visit and notice such public school buildings which appear to him to be unsafe, insanitary, or otherwise unfit for occupancy; and to request the State Department of Public Health,[196] the state fire marshal, or the state architect to inspect such buildings and issue reports upon which condemnation proceedings can be based.[197]

Recordation

For the function of making legal record of written instruments, the first General Assembly established the office of recorder.[198] Originally appointed by the Governor,[199] the recorder was required to be elected after 1835.[200] The second constitution made the clerk of the circuit court[201] recorder, ex officio, in all counties;[202] the present constitution continued the earlier provision in counties of under 60,000 population and provided for the election of a recorder in counties of that population or more.[203] As Menard County never met the population requirement, the clerk of the circuit court has continued to fulfill the duties of recorder.

The basic duty of the recorder, to record at length and in the order of their receipt all instruments in writ-

194. The Secretary of State, ex officio (L. 1845, p. 52). In 1854 the office became independent, filled by election, and known as that of Superintendent of Public Instruction (L. 1854, p. 13), which is its present status (L. 1909, p. 343).
195. L. 1845, p. 54.
196. Prior to 1917, the rights, powers, and duties of this department were vested in the State Board of Health, abolished in that year (L. 1917, p. 4,17,27, 28).
197. L. 1915, p. 637-40.
198. L. 1819, p. 18-20.
199. Ibid., p. 19.
200. L. 1835, p. 166.
201. An elected officer; see Clerks of Courts, p. 80.
202. Const. 1848, Art. V, Sec. 19; L. 1849, p. 64.
203. Const. 1870, Art. X, Sec. 8; R.S. 1874, p. 833.

ing, has remained essentially unchanged; legislation has been directed toward the extension of categories of instruments entitled to be recorded.[204] Conveyances of title to land, a major category of such records, frequently involve another county officer, the surveyor. Established by the Second General Assembly,[205] the office of surveyor was at first filled by appointment by that body,[206] later by election.[207] In 1936 the surveyor again became an appointed office, with the power of appointment delegated to the county board.[208] His duty to perform all surveys he may be called on to make within his county has undergone only minor change, but its importance has declined; the acts of any surveyor, properly acknowledged and certified, have equal standing before the law with those of the county surveyor; no maps or plats have any legal effect unless recorded by the recorder.[209]

Public Works

Roads and Bridges

Public roads and bridges were first under the superintendence of the county commissioners' court which was authorized to locate new roads and alter or vacate existing roads.[210] The act providing for such superintendence empowered the commissioners to appoint freeholders in each township to act as supervisors, each appointment to be for a one-year period. New roads were to be opened by the county commissioners' court upon petition of residents of the county and a favorable report from the road viewers and surveyor. A few years later the county commissioners were authorized to divide the county into road districts and to appoint annually one supervisor to serve in each district.[211] With a change in the county administrative body under the second constitution, the county court was

204. L. 1819, p. 18-20; R.L. 1829, p. 117,118; R.L. 1833, p. 511; R.S. 1845, p. 305,431,432,606; L. 1851, p. 80; L. 1859, p. 124; L. 1869, p. 2; R.S. 1874, p. 833,834; L. 1921, p. 756,757; L. 1925, p. 520-22.
205. L. 1821, p. 62.
206. Ibid.
207. L. 1835, p. 166.
208. L. 1933, p. 1104. Provision effective in 1936.
209. R.L. 1829, p. 173; R.L. 1833, p. 511; L. 1845, p. 201; L. 1869, p. 241,242; R.S. 1874, p. 1050, 1051; L. 1901, p. 307,308; L. 1915, p. 575.
210. L. 1819, p. 333.
211. L. 1825, p. 130.

granted supervision and control over public roads,[212] but the care and superintendence of roads and bridges in counties electing the township form of government were granted to the commissioners of highways, elected annually in each town.[213] The commissioners divided the town into road districts, and overseers of highways in each district were to repair the roads and carry out orders of the commissioners. In counties not electing township organization the original system of road districts and road supervisors was continued.[214] In 1873 when the board of county commissioners supplanted the county court as the administrative body in Menard County, the commissioners were granted general supervision and control over roads and bridges[215] while in each road district, three highway commissioners were to be elected for three-year terms.[216] In 1913 the State Highway Department was established, and provision was made for the appointment by the county board of a county superintendent of highways.[217] The entire system was centralized by subjecting the county superintendent to the rules and regulations of the state highway commissioner and by requiring candidates for county superintendent to be approved by the state commissioner before appointment by the county board. The term of office of the county superintendent was set at six years, and his salary was to be fixed by the county board. A board of highway commissioners was set up in each township to superintend matters relating to roads and bridges. Although the county superintendent was to act on behalf of the county in regard to roads and bridges, and although he was subject to removal by the county board, he was regarded as a deputy of the state highway engineer, subject to his directions. This indicates the intention of the legislature to unify the entire system of roads and bridges. In 1917 the Department of Public Works and Buildings assumed the rights, powers, and duties vested in the State Highway Department,[218] but the county organization has remained essentially the same since 1913.[219]

212. L. 1849, p. 65; L. 1851, p. 179.
213. L. 1849, p. 212.
214. L. 1847, p. 111-13; L. 1849, p. 65,212,213; L. 1851, p. 64,179.
215. L. 1873-74, p. 79.
216. L. 1871-72, p. 679.
217. L. 1913, p. 521-25, 537-46.
218. L. 1917, p. 24.
219. L. 1913, p. 524,525,538,542-44; L. 1921, p. 780-86; L. 1933, p. 961.

Public Buildings

The county is given the power to hold, own and convey real estate for county purposes.[220] This power is exercised by the county board which is charged with the care and custody of all the real and personal property owned by the county. Throughout the period of statehood it has been provided that a courthouse and jail be erected in each county,[221] and that the sheriff of each county be charged with custody of such buildings.[222] The county is further empowered to erect buildings for a county hospital, workhouse, tuberculosis sanitarium, and other county needs.[223]

The county superintendent of schools is charged with the inspection of plans and specifications for public school rooms and buildings, and the approval of only those which comply with the specifications prepared by the State Superintendent of Public Instruction.[224] He is also to request the Department of Public Health,[225] the state fire marshal, or the state architect to inspect public school buildings which appear to be unsafe, insanitary, or unfit for occupancy. Upon receipt of an unfavorable report from these officials, the county superintendent is to condemn the building and notify the board of directors or board of education, and the board of school trustees.

Drainage

In 1850 an act of Congress provided for the granting of swamp and overflowed lands to various states.[226] The land so granted to Illinois was turned over to the counties in 1852 to be reclaimed by drainage and used for county purposes.[227] Such lands were to be under the care

220. R.S. 1874, p. 302.
221. L. 1819, p. 237,238; R.S. 1845, p. 135; R.S. 1874, p. 307,308.
222. R.L. 1827, p. 246,247,372; R.S. 1874, p. 990.
223. Ibid., p. 307; L. 1909, p. 163; L. 1911, p. 246. In counties not under township organization appropriations for the erection of public buildings are required to be voted upon by the people of the county.
224. L. 1915, p. 637-40.
225. Created in 1917 to supplant the State Board of Health abolished in that year (L. 1917, p. 4,17,27).
226. 9 U.S. Stat. 519.
227. L. 1852, p. 178.

and superintendence of the county court which was to appoint a "Drainage Commissioner" to conduct the sales of such lands. The county surveyor was to prepare plats of the swamp lands and return such plats to the clerk of the county court, whereupon the court fixed the valuation upon each tract. The purchasers of these tracts were given a certificate by the drainage commissioner, and a deed was later executed by the county court. The court was to sell only enough swamp lands to insure reclamation of all such land, any balance to be granted to the several townships to be used for educational purposes. At the discretion of the county, such balance could also be used for the construction of roads or bridges, or for other public works.

In counties not adopting township organization, the supervisors of roads were, ex officio, to be drainage commissioners according to the terms of an act of 1867.[228] This act further provided that the drainage commissioners should have, in addition to the powers given by an act of 1865,[229] the same power, and take the same proceedings, as were authorized by an act of 1855.[230] The effect of these acts was to authorize the drainage commissioners to hear applications for the construction of drains, to survey, lay out, construct and maintain drains, and to assess damages against the land benefited by such construction. Where a proposed drain ran through more than one town the commissioners of all the towns affected made up the board of drainage commissioners.[231] In 1879 drainage construction by special assessment was handled by the drainage commissioners, a body corporate and politic composed of commissioners of highways.[232]

Provision was first made for the organization of drainage districts for agricultural, sanitary, and mining purposes in 1879. Petitions were to be filed with the county clerk and hearings on the same were to be had before the county court. When the court found in favor of the petitioners, it appointed three disinterested persons as commissioners to lay out and construct the work. Petitions for the construction of drains to cost less than $5,000 were to be presented to justices of the peace, if the petitioners so elected, and the commissioners of high-

228. L. 1867, p. 91.
229. L. 1865, p. 50. Relating to counties adopting township organization.
230. Priv. L. 1855, p. 576. Relating to Cook County.
231. L. 1867, p. 91,92.
232. L. 1879, p. 142.

ways were to perform the duties of drainage commissioners in such cases.[233] In 1885 this law was amended to include drains costing less than $2,000 and provided for the appointment of three residents as commissioners.[234]

Public Services

Public Health

The State Department of Public Health, created in 1917,[235] is charged with general supervision of the health and lives of the people of the state. In conformance with this legislative order it is empowered to supervise, aid, direct, and assist local health authorities or agencies in the administration of the health laws. Public health districts may be organized along subcounty lines with a board of health in each. The names of such districts are to be filed with the county clerk to complete their organization. Annually, each board of health certifies to the county clerk the rate of a public health tax to be levied in each district, the clerk being responsible for setting out the proper taxes upon the warrant books and transmitting them to the collector as provided for in regard to other taxes.[236]

Control of the state health department over lodging houses, boarding houses, taverns, inns, and hotels is effected through the county clerk, the proprietors of such establishments being required to file with the clerk an annual statement containing details as to sleeping accommodations for guests.[237] The clerk is also required to report annually to the state health department the names and addresses of county commissioners and the expiration dates of their terms of office.[238]

Mosquito abatement districts are organized upon petition to the county judge of the county in which such territory lies, such petitions being filed with the county clerk. If, after hearing, the county judge determines that the organization of a district is necessary, the question is submitted to the residents of the territory at a special election. The judges of election make return to

233. L. 1879, p. 120.
234. L. 1885, p. 130,131.
235. L. 1917, p. 4.
236. Ibid., p. 27,28,763,765,767,768.
237. L. 1901, p. 305.
238. L. 1923, p. 480.

the county judge, and the results are entered upon the records of the county court. A majority of the votes favoring it, a mosquito abatement district is thereupon organized.[239]

County officials also enter into the state's control of public swimming pools. When a representative of the State Department of Public Health finds conditions that warrant the closing of such pool, the owner of the pool and the sheriff and state's attorney of the county are notified to that effect, it being the duty of these officers to enforce such notice.[240]

Vital Statistics

The State Department of Public Health has charge of the registration of births, stillbirths, and deaths throughout the state.[241] To effect proper control of this matter the state is divided into vital statistics registration districts which, in Menard County, are identical with the road districts. The road district clerk acts as the local registrar in these districts and receives certificates of births and deaths occurring in the district. Burial permits are issued by the registrar and are later returned to him for filing.

The local registrar is required to deposit monthly with the county clerk a complete set of records of births, stillbirths, and deaths registered during the month, and the clerk is charged with binding and indexing, or recording, and safekeeping of such records. The original certificates are sent monthly by the local registrars to the state health department which certifies annually to the county clerk the number of births, stillbirths, and deaths registered in the county.

The county board is to appropriate money for the payment of the local registrars' fees. Such amounts are charges against the county, and the county clerk is required to issue warrants on the county treasurer for the amount of the fees payable to the registrars.

The county also enters into the enforcement phase of this matter. The state health department reports cases of violations of any provisions of the act relating to regis-

239. L. 1927, p. 694.
240. L. 1931, p. 735,736.
241. L. 1915, p. 660-70.

tration to the state's attorney who is to initiate and follow up court proceedings against violators.

Since 1937 the county clerk has been required to keep a record of applications for marriage licenses, together with certificates showing that persons desiring to marry are free from venereal diseases.[242]

When a marriage has been performed the certificate of marriage together with the license is returned to the county clerk, who is required to keep a registry of marriages, showing the date, names of the parties and name and title of the official performing the ceremony.[243]

Public Assistance

Public assistance is administered through the services of the county department of public welfare, the county home, the examiner of the blind, the probation officers, the county clerk, and the county board.

The county department of public welfare is headed by a superintendent appointed by the county board after approval by the State Department of Public Welfare.[244] He assists the state department in the operation of welfare plans and policies within the county and has charge of the administration of old age assistance.[245] In this latter regard the county department acts merely as the agent of the state department, investigating applicants and reporting results.

The county home is an establishment for the maintenance and care of indigents. Its management and finances are provided by the county board.[246] Blind assistance is administered in the county through appropriations by the county board together with state funds. An examiner of the blind, appointed by the county board, examines all applicants referred to him by the county clerk.[247] The county court has jurisdiction in the administration of the mothers' pension fund. A probation officer, an appointee

242. L. 1937, p. 908-11.
243. R.S. 1874, p. 696.
244. L. 1937, p. 451,452.
245. L. 1935-36, First Sp. Sess., p. 54-61,72; L. 1937, p. 265-70,452.
246. L. 1935, p. 1057.
247. L. 1903, p. 138; L. 1915, p. 266,267; L. 1935, p. 264,265.

of the court for this purpose, investigates and visits cases of indigent mothers who are entitled to benefit.[248]

Coordination of Functions

From the foregoing discussion of functions of the county government it is apparent that the county plays a dual role, that of a body politic and that of an agent of the state. In its first capacity the county, through its officials, is capable of suing and being sued, purchasing, holding, and selling property, making contracts, and raising revenue for its proper operation. As a state agent it fits into a state-wide program on various matters of public concern, acting under the supervision and control of the state and coordinating the activities of subcounty agencies and officials.

Coordination of county activities is effected chiefly through the county clerk. An illustration of this is the part this official plays in the election procedure where there is no board of election commissioners.[249] As ministerial officer of the county board he notifies the judges and clerks of elections of their appointment, supplies them with blanks and poll books, receives copies of registers of voters, issues notices of election, receives and preserves returns, canvasses votes with the assistance of two justices of the peace and retains the abstracts, transmits copies of election returns and abstracts of votes to the Secretary of State, and issues certificates of election. Where there is a board of election commissioners most of the clerical work is done by the board, however, the county clerk completes the procedure by sending copies of election returns to the Secretary of State, and issuing certificates of election.

Records System

County records in the State of Illinois have suffered from the lack of an adequate program of legislation designed to secure uniformity in recordation and to insure the proper care of these documents which have permanent value. However, from the inception of statehood, some effort has been made to coordinate the records systems of the several counties and to preserve their archives.

248. L. 1913, p. 127-30; L. 1915, p. 243-45; L. 1921, p. 162-64; L. 1935, p. 256-59.
249. See Elections, p. 84, for explanation of development and control of the election machinery.

In attempting to establish state-wide uniformity among counties, the General Assembly has at times provided detailed descriptions of required records and in many instances has supplied the very forms to be used. Laws relating to the duties and powers of county officers usually contained some such provisions. Thus, in 1819, the recorder of the county was ordered to supply "parchment or good large books, of royal or other large paper, well bound and covered" wherein to record all deeds and conveyances brought to him for that purpose. He was also to keep a fair book in which to enter every deed or writing to be recorded, noting the date, the parties, and the place where the lands were situated, such entries to be made according to priority of time.[250] In 1833 he was required to keep an alphabetical index to each book,[251] and by 1874 the General Assembly had prescribed a complete list of books to be kept in the office of the recorder, with a description of the contents of each, which list has been continued, substantially unchanged, to the present.[252]

In like manner, legislation was enacted prescribing records to be kept by the county clerk and his predecessors, acting in their several capacities,[253] the clerk of the circuit court,[254] the judge[255] and justice[256] of the probate court, the coroner,[257] the county superintendent of schools,[258] the county surveyor,[259] and the county treasurer.[260]

Description of records and forms to be used are frequently found in legislation pertaining to the holding of

250. L. 1819, p. 18,20.
251. R.L. 1833, p. 511.
252. R.S. 1874, p. 834.
253. L. 1849, p. 66,203; L. 1859, p. 92,94; L. 1865, p. 93; R.S. 1874, p. 261-65,332; L. 1933, p. 293-95.
254. R.L. 1833, p. 152; R.S. 1845, p. 147; L. 1847, p. 70; L. 1849, p. 9; L. 1865, p. 93; R.S. 1874, p. 262,263; L. 1933, p. 293,294.
255. R.L. 1829, p. 231.
256. R.S. 1845, p. 427,428.
257. R.L. 1833, p. 574; L. 1869, p. 104,105; R.S. 1874, p. 283.
258. L. 1849, p. 155,156; L. 1865, p. 120; L. 1909, p. 346,348,349.
259. R.L. 1829, p. 173; R.S. 1845, p. 524.
260. Ibid., p. 138; R.S. 1874, p. 323,324.

elections,[261] assessments and the collection of revenue,[262] the organization and maintenance of common schools,[263] the registration of marriages,[264] and the recording of vital statistics.[265]

While there has been enacted much legislation prescribing the kind of records to be kept, only a few laws deal with the safeguarding and preservation of county archives. In 1819 the General Assembly directed the clerks of the circuit and county commissioners' courts to provide "a safe press or presses with locks and keys for the safe keeping of the archives of their offices. . ."[266] In 1843 the county commissioners' courts were authorized, and required whenever the finances of the county would justify the expenditure, to erect a fireproof recorder's office at the county seat, or if the commissioners were of the opinion that any unappropriated room in their courthouses could be made fireproof, to make it so and house the office and records of the recorder there. At the discretion of the county commissioners' court, the provisions of this act might be deemed to apply to the offices of the clerks of the circuit and county commissioners' courts.[267] Similar in content but slightly different in wording is a later enactment in which the county commissioners' courts were authorized to "erect, build, and provide permanent fireproof rooms, houses or vaults, for the purpose of placing therein and preserving from injury, damage, loss, or destruction by fire, the records and documents of their respective counties."[268] The preserva-

261. L. 1819, p. 92,94; R.L. 1827, p. 291,292; R.L. 1829, p. 59,60; L. 1845, p. 41,42; L. 1849, p. 73,74; L. 1865, p. 54,55; L. 1871-72, p. 386-89, 391; L. 1885, p. 143,148,173,176; L. 1937, p. 522-29, 531-48.
262. R.L. 1827, p. 329-33; L. 1838-39, p. 4,5,7,8,12,13, 17; L. 1845, p. 6-9,12,14,15; L. 1849, p. 37,38, 124-26; L. 1851, p. 53,55,56; L. 1853, p. 17,24,50, 55,77,78,111,112; L. 1871-72, p. 19,23,32,48,49,54.
263. L. 1825, p. 127; R.L. 1833, p. 563; L. 1841, p. 263, 270-72; L. 1845, p. 53,54,65-68; L. 1847, p. 121-23, 142-44; R.S. 1874, p. 950,957,958,964.
264. L. 1819, p. 27; R.L. 1827, p. 288,289; R.S. 1874, p. 694,695.
265. L. 1842-43, p. 210-12; L. 1877, p. 209; L. 1901, p. 301-4; L. 1903, p. 315-18; L. 1915, p. 666,667.
266. L. 1819, p. 332.
267. L. 1842-43, p. 210.
268. L. 1845, p. 46.

tion of county archives has been greatly aided by an act to provide for the copying of old, worn-out records,[269] and by a law authorizing the transfer of county records having historic value to the Illinois State Historical Library, the Archives Division of the Illinois State Library, or to the State University Library at Urbana.[270] Provision is made in this act for the substitution of accurate copies of these documents if such action be deemed necessary. In 1907 the act was amended to include among the institutions to which old records might be sent, any historical society incorporated and located within a particular county.[271] Laws have also been enacted which provide for the restoration of certain classes of records destroyed by fire or other means.[272] In 1935 the General Assembly appropriated money for the construction of a fireproof building at Springfield for the purpose of storing therein the archives and records of the state.[273] The erection of this structure, the State Archives Building, has helped to make possible the inauguration of an intelligent, farsighted program for the preservation of papers and documents of historic value.

There are still serious omissions in legislation pertaining to recordation. For instance, Illinois has no law prescribing the kinds of inks to be used in keeping records. And, although laws have been enacted authorizing the provision of fireproof accommodations for county documents, they are permissive rather than mandatory in character.[274] Legislation enabling the destruction of worthless archives apparently is nonexistent with the exception of laws relating to certain election papers.[275] The enactment of legislation which would remedy these defects in the laws and continue the trend toward state-wide uniformity among counties would result in an intelligent, economical records system for the State of Illinois.

269. L. 1871-72, p. 648,649.
270. L. 1897, p. 205; L. 1939, p. 693.
271. L. 1907, p. 375.
272. L. 1871-72, p. 649,650,652.
273. L. 1935, p. 138.
274. L. 1842-43, p. 210; L. 1845, p. 46.
275. L. 1861, p. 269; L. 1871-72, p. 389; L. 1885, p. 146,193; L. 1891, p. 118,119; L. 1917, p. 438, 444,445.

(First entry, p. 124)

3. HOUSING, CARE, AND ACCESSIBILITY OF THE RECORDS

The Menard County courthouse at Petersburg is a large well-proportioned building, 79 feet by 99 feet and three stories high, topped by a distinctive copper-covered dome. Its construction, up to the second floor level, is of Wisconsin granite, and above that of brick and tile, faced with red sandstone veneer. Architecturally, this building is two stories high with an American basement, the basement being at ground level and containing the entrances and stairways to the main floor above. However, functionally, it is a three-story building with offices and vaults contained on the ground level. Designations to locations in this inventory, therefore, are referred to as first, second, and third floors.

Built at a cost of $46,000,[1] this courthouse, the second in the county's existence, was first opened to the public March 2, 1897.[2] Six years later, in 1903, the building was given a new roof at a cost of $1,479.[3] Forty-four years later, in 1938, over-all repairing and remodeling was done at a cost exceeding $3,000.[4] The roof and chimney were repaired; the stone in the foundation was treated with a preserving liquid; window and door frames were painted; walls and ceilings were repaired and replastered, and the interior painted; repairs were made to the heating system; and the electric light system was modernized. Thus, despite its near half-century of use, the building, in general, remains quite adequate for the county's governmental needs. Only the offices of the county clerk and the treasurer, and the vaults of the county and circuit clerks lack space for further expansion. The building of an additional vault should be considered and several possible rearrangements of rooms would effect the result desired; for example, the size of either public-service room on the first floor might be reduced in dimensions, affording space for a vault.

Standing in the center of the public square and bounded by South Sixth and Seventh Streets, and East Douglas and Jackson Streets, this courthouse has four entrances, all commonly used. At two of these entrances, the east and the west, there are stairways. The stairway at the east entrance goes no higher than the second floor;

1. County Commissioners' Record, v. 8, p. 325, see entry 2.
2. Ibid.
3. Ibid., v. 9, p. 262,289.
4. Ibid., v. 14, p. 56,72,77-79.

however, the stairway at the west entrance continues on to the third floor.

Leading from the four entrances are two corridors which lie athwart each other and divide the first floor into four parts. In the southwest corner are located the office of the superintendent of schools and the county clerk's vault. The southeast corner contains the circuit clerk-recorder's vault, the ladies' restroom and lavatory, and the old age assistance and relief office. Opposite this, in the northeast corner are the office of the superintendent of highways and men's lavatory. The northwest corner contains the boiler room and fuel room. (For plan of first floor, see p. 109).

The second floor contains the most important county offices. Here one large corridor divides the entire floor into two parts, though there is a short dead-end corridor on the north side which divides that half into quarters. The entire south half of the second floor is walled off from the main corridor and there is only one entrance to this section. To the left or east of the entrance is the county clerk's main office; directly ahead of the entrance are the private offices of the county and circuit clerks, and to the right or west of the entrance is the circuit clerk's main office. All of these offices open onto a short connecting hall. Behind the east stairway are the two offices of the county nurse. The northeast section contains the county courtroom and the office of the treasurer. In the northwest quarter are located the sheriff's main and private offices, and the state's attorney's main and private offices. (For plan of the second floor, see p. 110).

The third floor is reserved entirely for judicial purposes. The principal part or center of this floor is occupied by the circuit court room on the east and west side of which are various offices and rooms. On the west side is access to the only stairway used by the public and to two offices of the master in chancery as well as to a large grand-jury room. Two small lavatories flank the stair well, north and south. The northside lavatory is under a narrow stairway that leads upward to the dome above the third floor. The east end of this floor contains a cloak room with an adjoining lavatory; a consultation and jury room; a circuit clerk's room and library which has an entrance to a circular stairway descending to the circuit clerk's office on the floor beneath; a judge's room; a jury room with an adjoining lavatory; and a retir-

ing room. (For plans of third floor, see p. 111).

The coroner is the only elected county official who does not have an office in the courthouse, but his records are located in the circuit clerk's office and vault. The superintendent of the county home keeps his records in his office at the county home located on a rural route 2½ miles southeast of Petersburg.

Records are distributed among offices and vaults according to space. Some crowding is evident as there are only two vaults in the building and storage for records must be found in the offices. Necessarily, therefore, the percentage of records in offices is much higher in Menard County courthouse than in other county courthouses where more vault space is available. Thus, 42 percent of record volumes and 63 percent of files are located in the various offices. Taking actual figures, there are 848 volumes and 1,090 files located in offices, and 1,195 volumes and 656 files located in the vaults. Most miscellaneous records are also kept in offices, only 2 cartons being stored in vaults. (For allocation of records in the depositories according to county offices, as well as percentages of records stored therein, see charts on pages 105,106; for detailed information concerning individual depositories with a description of facilities for the housing of records, see charts on p. 107,108).

Binding and repair of record volumes in Menard County are under the direct supervision of the county board. The system of indexing and filing records follows practices generally adopted and employed in other counties of Illinois.

CHART OF COUNTY OFFICES SHOWING PERCENTAGE OF RECORDS IN DEPOSITORIES

Office	Volumes	Files	Other	Depository and Percent of Records
County board	65	2 f.d. 537 f.b.	...	Co. clk.'s off. 54.8; co. clk.'s vlt. 43.4; sheriff's off. 1.8
County clerk	1239	3 f.d. 128 f.b.	4 bdl.	Co. clk.'s off. 8.3; co. clk.'s vlt. 90.3; cir. clk.'s off. 0.1; sheriff's off. 1.3
Recorder	255	85 f.b.	...	Cir. clk.'s off. 100
County court	46	61 f.b.	...	Co. clk.'s off. 72.5; co. clk.'s vlt. 27.5
Probate court	139	158 f.b.	...	Co. clk.'s off. 85; co. clk.'s vlt. 15
Circuit court	118	514 f.b.	1 carton	Cir. clk.'s off. 94.1; cir. clk.'s vlt. 5.9
Sheriff	20	11 f.b.	...	Co. clk.'s vlt. 71.4; sheriff's off. 28.6
Coroner	3	19 f.b.	...	Cir. clk.'s off. 20; cir. clk.'s vlt. 80
State's attorney	1	4 f.d.	...	State's attorney's off. 100
Assessor	...	20 f.b.	...	Co. clk.'s off. 100
Board of review	4	5 f.b.	...	Co. clk.'s off. 10; co. clk.'s vlt. 67.8; treasurer's off. 22.2
Collector	12	68 f.b.	...	Co. clk.'s off. 21.1; co. clk.'s vlt. 31.5; sheriff's off. 47.4

CHART OF COUNTY OFFICES SHOWING PERCENTAGE OF RECORDS IN DEPOSITORIES

Office	Volumes	Files	Other	Depository and Percent of Records
Treasurer	31	8 f.b.	1 carton	Treasurer's office 94.7; co. clk.'s vlt. 5.3
Superintendent of schools	100	88 f.b. 6 f.d.	2 bdl. 24 maps	Office of superintendent of schools 100
Superintendent of highways	7	4 f.d. 9 f.b.	...	Off. of supt. of hwys. 89; treas.'s off. 11
Surveyor	1	...	...	Circuit clerk's office 100
Drainage commissioners	...	...	...	Record kept as part of county court records
Department of public welfare	1	1 f.d.	...	Old age assistance office 100
County home	1	...	...	Office of superintendent of county home 100
Tuberculosis sanitarium board	...	...	...	Files report with county board
County nurse	...	4 f.d.	...	Office of county nurse 100
Mine inspector	...	...	...	Files report of inspections made with county board and mines inspected to state mine inspector
Farm bureau	...	...	...	Reports sent to State and Federal Departments of Agriculture

CHART OF DEPOSITORIES, SHOWING LOCATION, CONTENTS, AND CONDITION

Menard County Courthouse, Public Square, East Douglas, East Jackson, South Sixth, and South Seventh Streets, Petersburg

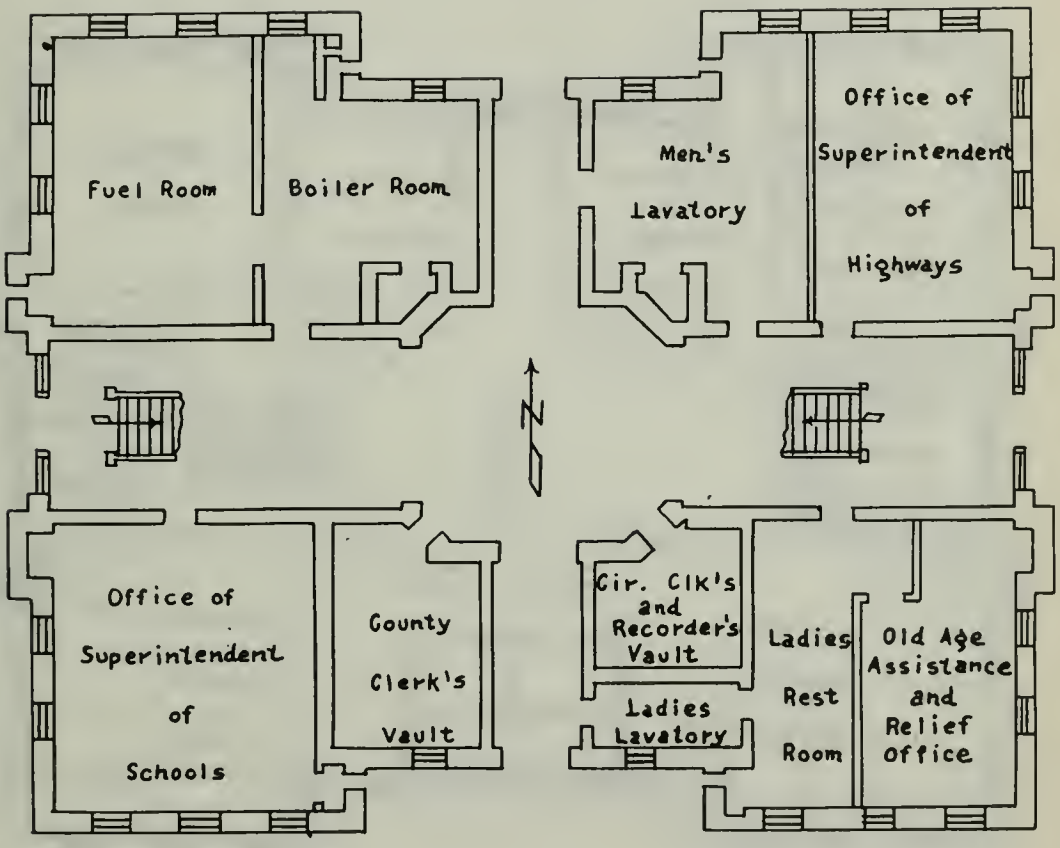
(Three stories, stone veneer, construction [1896-97]; 319,642 cubic feet, 20% fireproof)

Depository	Floor Location	Dimensions	Floors	Walls and Ceiling	Light and Ventilation	Accommodation	Shelving		Records			
									Quantity			Housing and Accessibility
							Type	In Use	Vols.	Files	Other	
County clerk's office	2nd sw.	13x27x35	wood	plaster	electric 7 windows	8 desks 12 chairs	steel 294 ft.	294 ft.	308	5 f.d. 348 f.b.	4 bdl.	space and equipment needed
County clerk's vault	1st sw.	9x14x21	concrete	plaster	electric 1 window	none	wood 321 ft.	321 ft.	1184	627 f.b.	1 carton	space and equipment needed
Circuit clerk's office	2nd se.	13x27x25	wood	plaster	electric 7 windows	2 counters 7 desks 12 chairs	steel 1025 ft.	863 ft.	367	589 f.b.	...	good
Circuit clerk's vault	1st se.	9x13x14	concrete	plaster	electric no windows	1 table	wood 100 ft.	100 ft.	11	29 f.b.	1 carton	crowded dusty
Sheriff's office	2nd n.	13x16x21	wood	plaster	electric 3 windows	3 desks 2 stools 4 chairs	wood steel 18 ft.	18 ft.	31	22 f.b.	...	good
Office of state's attorney	2nd nw.	13x18x19	wood	plaster	electric 2 windows	2 desks 6 chairs	wood 155 ft.	25 ft.	1	4 f.d.	...	good
Treasurer's office	2nd n.	13x17x15	wood	plaster	electric 2 windows	1 table 2 desks 7 chairs	steel 186 ft.	150 ft.	32	7 f.b.	...	space needed

CHART OF DEPOSITORIES, SHOWING LOCATION, CONTENTS, AND CONDITION

Menard County Courthouse (Continued)

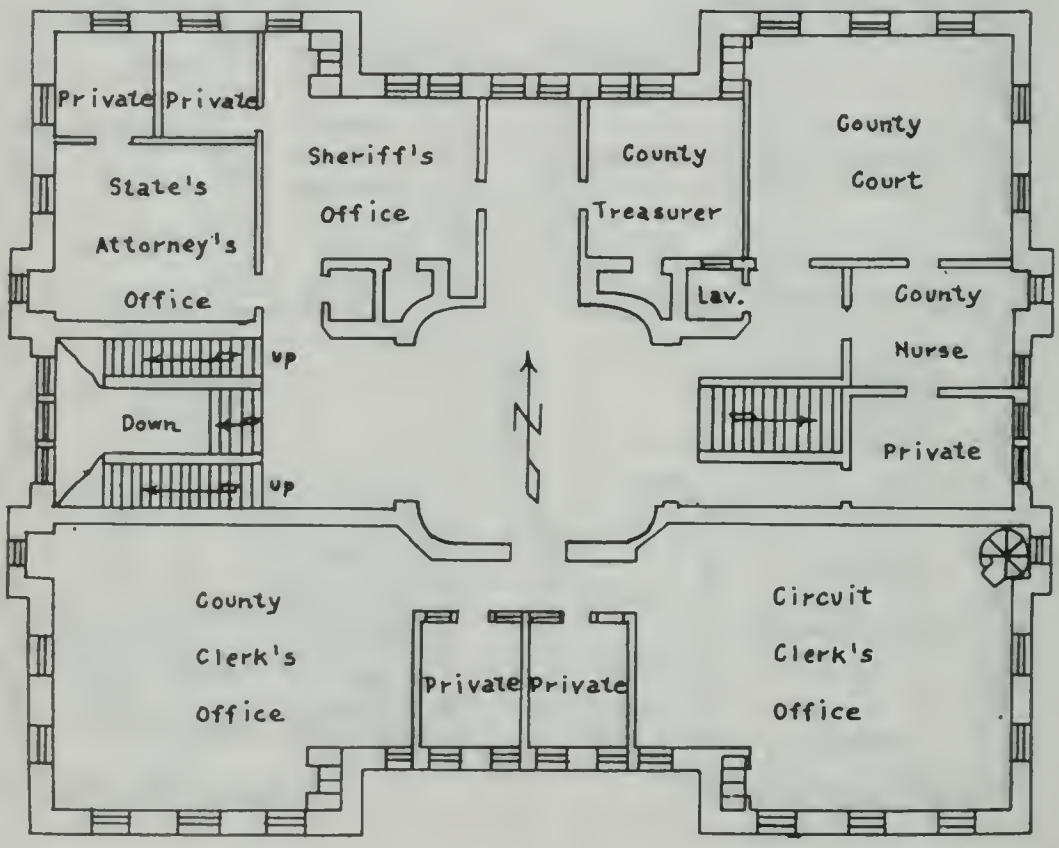
Depository	Floor Location	Dimensions	Floors	Walls and Ceiling	Light and Ventilation	Accommodation	Records					
							Shelving		Quantity			Housing and Accessibility
							Type	In Use	Vols.	Files	Other	
Office of supt. sch.	1st sw.	9x25x27	wood	plaster	electric 5 windows	5 desks 9 chairs	steel wood 175 ft.	175 ft.	100	6 f.d. 88 f.b.	2 bdl. 24 maps	good
Office of supt. hwys.	1st ne.	9x19x27	wood	plaster	electric 4 windows	1 table 3 desks 8 chairs	...	...	7	4 f.d. 9 f.b.	...	good
Old age assist. off.	1st se.	9x15x27	wood	plaster	electric 4 windows	5 desks 9 chairs	...	...	...	1 f.d. 1 f.b.	...	good
Nurse's office	2nd c.	13x12x15	wood	plaster	electric 1 window	1 desk 4 chairs	...	...	...	4 f.d.	...	good
Menard County Home, Petersburg, 2½ miles southeast of courthouse (Two stories, brick construction [1911]; 313,600 cubic feet; 20% fireproof)												
Office of supt.	1st	8x15x9	concrete	plaster	electric 3 windows	1 desk 10 chairs	...	...	...	...	...	good



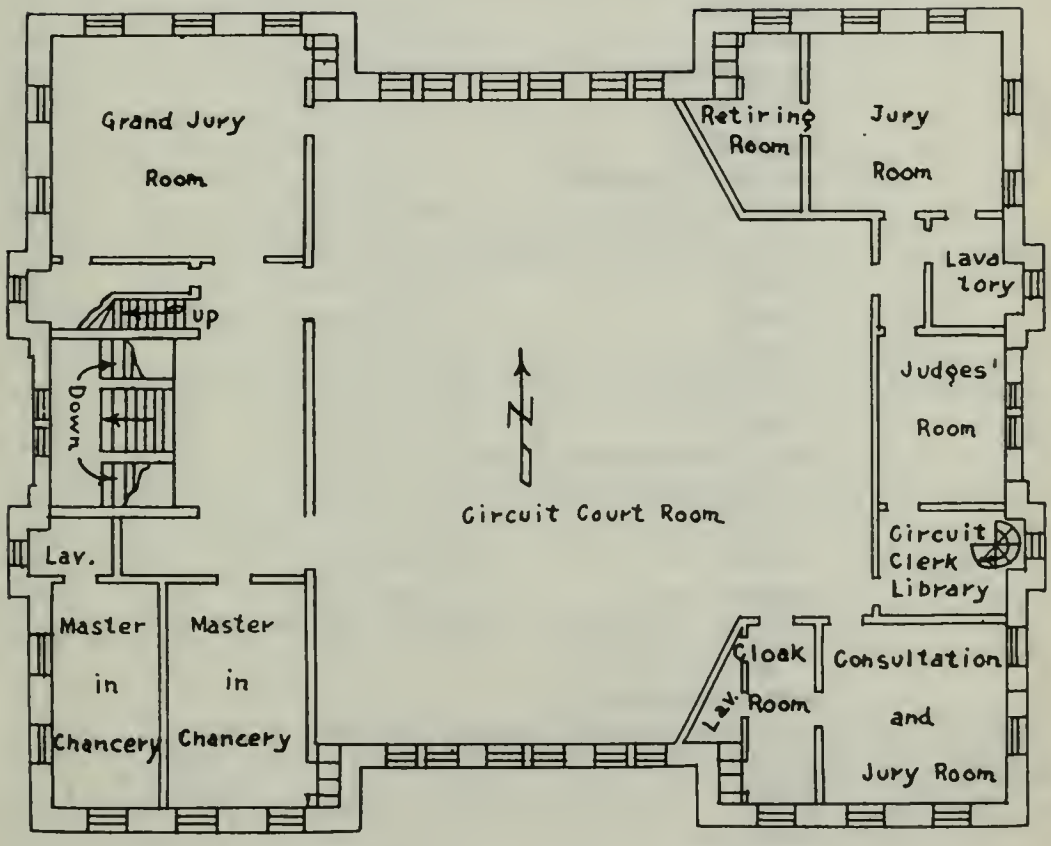
MENARD COUNTY COURTHOUSE

PETERSBURG, ILLINOIS

FIRST FLOOR



MENARD COUNTY COURTHOUSE
PETERSBURG, ILLINOIS
SECOND FLOOR



MENARD COUNTY COURTHOUSE

PETERSBURG, ILLINOIS

THIRD FLOOR

(First entry, p. 124)

4. ABBREVIATIONS, SYMBOLS, AND EXPLANATORY NOTES

alph. alphabetical(ly)
app. appendix
arr. arranged, arrangement
Art. Article
assr. assessor
atty. attorney
aud. auditor
bd. board
bdl. bundle(s)
bldg. building
bsmt. basement
cf. confer, compare
ch. chapter(s)
chron. chronological(ly)
cir. circuit
clk. clerk
co. county
coll. collector
comp. compiler
Const. Constitution
cont. continued
cor. coroner
ct. court
dept. department
ed. edited, edition, editor
f.b. file box(es)
f.d. file drawer(s)
f., ff. and following (page, pages)
fl. floor
fm. form
ft. feet
gen. general
hdgs. headings
hdw. handwritten
hwys. highways
ibid. ibidem (refers to last single source cited)
idem. the same as that mentioned above
i.e. id est (that is)
Ill. Illinois Reports (Supreme Court)
Ill. App. . . . Illinois Revised Statutes (Smith-Hurd)
Ill. S.A. . . . Illinois Statutes Annotated
in. inch(es)
L. Laws (of Illinois)
n. footnote(s)
no(s). number(s)
N.W. Northwestern Reporter
off. office
p. page(s)

pr.. printed
Priv. L. . . . Private Laws (of Illinois)
pro. probate
rec. recorder
R.L. Revised Laws (of Illinois)
rm.. room
R.S. Revised Statutes (of Illinois)
sch. school(s)
sec. section(s)
sep. separate
Sess.. Session
sh.. sheriff
Sp.. Special
strm.. storeroom
supt.. superintendent
surv.. surveyor
treas. treasurer
twp(s) township(s)
U.S.C.C.A.Ill. United States Circuit Court of Appeals (Illinois)
U.S.R.S. . . . United States Revised Statutes
U.S. Stat. . . United States Statutes at Large
v. volume(s)
vet. veterinarian
vice in place of
vlt. vault
-- current

1. Despite the inaccuracies in spelling and punctuation, titles of records are shown in the inventory proper exactly as on volumes and file boxes. The current or most recent title is used as the title of the entry and title variation is indicated.

2. Explanatory additions to inadequate titles and corrections of erroneous titles are enclosed in parentheses and have initial capitals.

3. In the absence of titles, supplied titles are capitalized and enclosed in parentheses.

4. In the title line, letters or numbers in parentheses indicate the exact labeling on volumes or file boxes. If no labeling is indicated, it may be assumed that there is none.

5. Title-line cross references are used to show the continuity of a record series which has been kept separately for a period of time and with other records for

different periods of time, as in entry 54, "1840-49 in Record of Land Sale, entry 60; 1881-- in Tax Judgment, Sale, Redemption and Forfeiture Record, entry 58". The description of the master entry shows the title and entry number of the record from which the cross reference is made, as, for example, these words do in entry 60: "Also contains. . . .Delinquent Land Record, 1840-49, entry 54". Dates shown in the description of the master entry are only for the part or parts of the record contained therein, and are shown only when they vary from those of the master entry.

6. All dates used are inclusive.

7. When two or more types of containers are considered in a single entry, the quantity is shown in chronological order, insofar as possible.

8. The description of the contents of a record applies only to the current or most recent record unless change in contents is actually shown in a record entry.

9. Separate third-paragraph cross references from entry to entry and see also references with subject headings or subheadings are used to show prior, subsequent, or closely related records which are not parts of the same series.

10. Where no statement is made that the record was discontinued at the last date shown in the entry, it could not be definitely established that such was the case. Where no comment is made on the absence of prior, subsequent, or intermediate records, no definite information could be obtained.

11. Unless the index is self-contained, an entry for the index immediately follows its record entry. Cross references are given for exceptions to this rule. All indexes to records, when otherwise stated, are self-contained.

12. Records may be assumed to be in good condition unless otherwise indicated.

13. On maps and plats records, the names of author, engraver, and publisher, and information on scale have been omitted only when this data was not ascertainable.

14. Unless otherwise specified, all records are located in the county courthouse. When all or the majority of the records of an office have a common location, the location is indicated in the last sentence of the office essay instead of in each individual entry.

B. COUNTY OFFICES

and

THEIR RECORDS

(First entry, p. 124)

I. COUNTY BOARD

In Illinois the county board is that body which exercises the corporate or politic power of the county.[1] In Menard County since 1839[2] three bodies have successively acted as a county board: the county commissioners' court, the county court, and the board of county commissioners.

The Constitution of 1818 provided that there should be elected in each county, for the purpose of transacting all county business, three commissioners whose term of service, powers, and duties should be regulated and defined by law.[3] The First General Assembly denominated the commissioners a court of record, styled the county commissioners' court.[4] Four annual sessions were required to be held for six days each, unless the business should be completed sooner; additionally, any one of the commissioners had power, upon giving five days notice to the remaining commissioners and the clerk of the court, to call a special court which had the same authority as at a regular session.[5] The first commissioners were elected for an irregular term,[6] subsequently, it was provided that they should be elected at each biennial general election;[7] and by an act of 1837, the term was lengthened to three years and staggered, with one new commissioner elected annually.[8] Thereafter, the commissioner who was longest in office was to be recognized as the presiding officer of the

1. R.L. 1827, p. 107; R.S. 1845, p. 130; R.S. 1874, p. 306.
2. Menard County was created in 1839 (L. 1839, p. 104).
3. Schedule, Sec. 4.
4. L. 1819, p. 175.
5. Ibid., p. 175,176.
6. Ibid., p. 100. The commissioners were to continue in office from the election held on the fourth Monday in April 1819 until the first Wednesday in August 1820, and until their successors were elected and qualified. Not until 1821 was provision made for the election of such successors (L. 1821, p. 80). In Menard County the first commissioners held office from April 1, 1839 to August 3, 1840 (L. 1838-39, p. 205).
7. L. 1821, p. 80.
8. L. 1837, p. 103,104. In 1838, to initiate the procedure, the three commissioners elected drew lots marked one, two, and three years to determine length of term. This was done in Menard in 1839.

court.[9] Compensation, originally set at the sum of $2.50 for each day's attendance in holding court,[10] later was reduced to $1.50.[11] In 1821, provision was made for the removal of commissioners for malfeasance or nonfeasance of duties, with proceedings as in criminal cases;[12] when the first criminal code was enacted in 1827; the penalty was modified to a fine of not more than $200, with removal from office only upon recommendation of the jury.[13] Vacancies resulting from any cause were filled by special election upon order of the clerk of the court to the district judges of election.[14]

In 1848 when Illinois adopted a new constitution, the county commissioners' court was discontinued. In its place, the constitution provided for an administrative body to be composed of an elected officer, the county judge, and such number of justices of the peace as should be required by law.[15] In the following legislative session, the General Assembly provided for the election of two justices of the peace to sit with the county judge to transact county business.[16] Their term of office, like that of the county judge, was set at four years.[17] This body, styled the county court, was required to hold four sessions annually and when so sitting, had all power, jurisdiction, and authority formerly conferred upon the county commissioners' court.[18] The compensation of the county judge was originally set at $2.50 for every day of holding court.[19] In 1855 the amount was increased to $3.90.[20]

The new constitution also directed the General Assembly to provide, by general law, for a township organization under which any county might organize whenever a

9. L. 1837, p. 104.
10. L. 1819, p. 176.
11. R.L. 1827, p. 205.
12. L. 1821, p. 20. Conviction further carried disqualification from holding office for one year.
13. R.L. 1827, p. 145.
14. L. 1837, p. 104. No election was required to be held if the term of the commissioner vacating office would have expired within six months from the date of vacancy.
15. Const. 1848, Art. V, Sec. 16,17,19.
16. L. 1849, p. 65,66.
17. Const. 1848, Art. V, Sec. 17; L. 1849, p. 62,65,66.
18. Ibid., p. 65.
19. Ibid., p. 63.
20. L. 1855, p. 181.

majority of the voters in the county should so determine.[21] By provision of the subsequent enabling acts,[22] a board of supervisors, whose members were to be elected one in each township annually,[23] was created to transact all county business in counties adopting township organization.[24] The board of supervisors was to meet for one regular session a year with the provision that special meetings might be held when necessary.[25] The board members were compensated at the rate of $1.50 a day,[26] and a fine was provided in the sum of $250, for refusal to perform, or neglect of, duties.[27] Menard County, however, retained the county court as its governing body throughout the second constitutional period.

In 1870 Illinois adopted a new constitution, which continued the provision for township organization in counties so electing,[28] and provided for a different form of county board to supplant the county court as an administrative body. This board was to consist of three officers, styled county commissioners, elected for three-year terms.[29] The compensation of the commissioners, original-

21. Const. 1848, Art. VII, Sec. 6.
22. L. 1849, p. 190-224; L. 1851, p. 35-78. The later law repealed and was a complete substitute for the earlier, but so far as their effect on the sphere of county government is concerned, there was almost no difference between the two.
23. L. 1849, p. 192; L. 1851, p. 38.
24. L. 1849, p. 202-4; L. 1851, p. 50-52.
25. L. 1849, p. 202; L. 1851, p. 51. In 1861 it was provided that special meetings could be called upon request of one third of the members of the board (L. 1861, p. 236). Since 1899 the board has been required to hold two regular meetings (L. 1899, p. 363).
26. L. 1849, p. 203; L. 1851, p. 52. In 1861 compensation was increased to $2 a day (L. 1861, p. 238).
27. L. 1849, p. 203,204. This fine was reduced in 1851 to $200 (L. 1851, p. 52). Subsequent legislation reduced it still further and added the more frequent penalty for misfeasance, disqualification for office (R.S. 1874, p. 1080).
28. Const. 1870, Art. X, Sec. 5.
29. Ibid., Sec. 6. The terms of the commissioners were staggered to permit the addition to the board of one new commissioner annually. To initiate the new procedure the three commissioners drew lots for one-, two-, and three-year terms (L. 1873-74, p. 79,80).

ly set at the rate of $3 a day for each day actually employed in the discharge of county business, with an allowance of five cents per mile for necessary travel,[30] was increased from $3 to $5 a day in 1911,[31] and lowered to $4 in 1933 which is the present rate of compensation.[32] The legal status of this administrative body was further defined by legislation enacted in 1874[33] which required the commissioners to take and subscribe to an oath which was to be filed in the office of the county clerk and provided that they should receive their commissions from the Governor. The board was required to hold five regular sessions a year.[34] At the December session in each year the board members were to elect one of their number chairman. Two members were constituted a quorum to do business.[35] These original provisions have not been changed since their enactment with the exception of the amount of compensation allowed the members. In Menard County the board of county commissioners has been the administrative body since the election of the first commissioners in 1873.

The functions of the Illinois county board, in contrast to its legal status, have undergone little change since the beginning of statehood, the development being merely one of accretion and increasing complexity of duties within a well-defined and nearly static sphere of authority and jurisdiction. The law establishing the court of county commissioners conferred upon it jurisdiction in all matters concerning county revenue.[36] Of this basic provision, nearly all other statutory powers of the court can be considered extensions; some, enunciated in the same law, already show such a legislative viewpoint. The court was given power to regulate and impose the county tax, and to grant such licenses as might also bring in a revenue; additionally, it was given authority over all public roads, canals, turnpike roads, and toll bridges.[37] Other legislation by the First General Assembly gave the court power to buy and sell lots whereon to erect county buildings and to contract for their construction;[38]

30. L. 1871-72, p. 444.
31. L. 1911, p. 337.
32. L. 1933, p. 615.
33. L. 1873-74, p. 79.
34. Ibid. Special sessions could be called by the chairman or any two members of the board.
35. Ibid., p. 79.
36. L. 1819, p. 175.
37. Ibid.
38. Ibid., p. 237,238.

later, in the case of the courthouse at least, the court was declared to have the care and custody of the property and the right to make certain disposition of it.[39] Care of the indigent also was made a function of the court; it was required to make appropriations, to be levied and collected in the same manner as other county revenue, for their support. As an extension of this fiscal function, it was required to appoint an overseer of the poor in every township and establish a county poorhouse if necessary.[40] Fiscal control over school lands was exercised at first solely through the court's power of appointment of the trustees of school lands;[41] after the creation of the office of county school commissioner,[42] firmer control was effected through the medium of reports which the commissioner was required to submit to the court.[43] The court also had authority to examine the full accounts of the commissioner.[44] Other functions of the court were its duties in relation to elections and juries. It had authority to establish precincts,[45] to appoint judges of elections,[46] and to allow compensation to officials for services and stationery.[47] Two panels each of petit and grand jurors were required to be selected. The former were enrolled on the list of taxable inhabitants; the latter only to be freeholders or householders.[48]

The substitution of the county court for the county commissioners' court produced no important changes in the sphere of government; neither the second constitution nor the enabling legislation made any original pronouncements with regard to the powers or duties of the former.[49]

The Constitution of 1870, in creating the board of county commissioners, left the jurisdiction of the board

39. L. 1843, p. 128.
40. L. 1819, p. 127; L. 1839, p. 138,139.
41. R.L. 1827, p. 366.
42. R.L. 1829, p. 150.
43. L. 1831, p. 175; R.S. 1845, p. 500,501.
44. L. 1831, p. 175.
45. L. 1821, p. 74. There was in this law and in many of those following, a limit to the number of precincts which could be established. See L. 1825, p. 168; R.L. 1827, p. 256; R.L. 1829, p. 54; L. 1835, p. 141. Prior to 1821, each township was declared by statute to constitute an election district (L. 1819, p. 90).
46. L. 1819, p. 90.
47. Ibid., p. 99.
48. Ibid., p. 255; L. 1823, p. 182.
49. Const. 1848, Art. V., Sec. 19; L. 1849, p. 65.

to be defined by the General Assembly.[50] Legislation enacted in 1874 declared the board to be the successor to the county court in relation to all matters concerning county affairs and gave it power to perform any act in reference to county government and business that the county court had previously been empowered to do.[51]

From the enabling legislation of the present constitutional period is drawn the following brief statement of the principal functions of the county board:

1. The purchase, sale, and custody of the real and personal property of the county.
2. The examination and settlement of accounts against the county.
3. The issuance of orders on the county treasury in pursuance of its fiscal administration.
4. The examination of accounts concerning the receipts and expenditures of county officers.[52]
5. The supervision of elections;[53] the selection of juries;[54] the construction and maintenance of roads and bridges;[55] the care of the indigent, infirm and disabled.[56]
6. The appropriation of funds necessary to the effecting of its functions;[57] the raising of such sums through taxation; and in general, the management of county funds and county business.[58]

At all times the county board has had a clerk who has served it in a ministerial capacity. The law creating the county commissioners' court provided that it should have such an officer, and gave it the power to appoint him.[59] This appointive power was rescinded in 1837 by an act which made the office elective.[60]

50. Art. X, Sec. 6.
51. L. 1873-74, p. 79.
52. R.S. 1874, p. 306,307.
53. Ibid., p. 456,468.
54. Ibid., p. 630.
55. Ibid., p. 310.
56. R.S. 1874, p. 757,758.
57. Ibid., p. 307. In counties not under township organization appropriations for the erection of public buildings are required to be voted upon by the people of the county.
58. Ibid., p. 306,307.
59. L. 1819, p. 175.
60. L. 1837, p. 49.

When the county court supplanted the county commissioners' court, the office of clerk of the latter body ceased to exist. A new office was created by statute, that of clerk of the county court.[61] When the court sat for the transaction of county business, its clerk was in effect a clerk of a county board; legal recognition of this distinction was given in the provision that the clerk should keep his records of the court's administrative actions separate from those of its judicial action. For this purpose two sets of books were to be kept.[62]

In 1870 the new constitution established the office of county clerk;[63] subsequently, the General Assembly provided that the county clerk should act as clerk of the county board[64] as well as clerk of the county court.[65] From that time to the present, the county board has been served in a ministerial capacity by this officer.

The major record kept by the clerk for the county board is the minutes of its proceedings. This record includes orders to issue warrants on the county treasury; the board's action on committee reports on roads and bridges, indigent and infirm relief, schools, taxation, etc.; and its orders in regard to juries, licenses, and other matters within its jurisdiction.[66]

The clerk also keeps separately, a register of orders issued on the county treasurer and lists of jury venire. He files and preserves all bills of accounts acted on by the board, and has custody of reports required to be made to the board by the county treasurer, various school bodies, and a number of other county officers.[67] An obligation to preserve a multiplicity of other records is clearly set forth in the general provision requiring the clerk to have the care and custody of all papers appertaining to, as well as filed in, his office.[68]

61. L. 1849, p. 63.
62. Ibid., p. 66.
63. Const. 1870, Art. X, Sec. 8.
64. R.S. 1874, p. 322.
65. Ibid., p. 260.
66. L. 1819, p. 6,28,77,127,334,335,352; R.L. 1829, p. 151-53; L. 1831, p. 89,90; L. 1835, p. 131,132, 136; L. 1839, p. 71,72; R.S. 1845, p. 287,342,403, 437; L. 1849, p. 66; L. 1861, p. 234-37; R.S. 1874, p. 322.
67. R.L. 1827, p. 366; L. 1845, p. 169; R.S. 1845, p. 136; L. 1861, p. 237.
68. R.S. 1874, p. 322.

Proceedings of Board

1. PROCEEDINGS OF COUNTY BOARD, 1839--. 81 f.b. (49-396 not consecutive; 25-548 not consecutive).
County commissioners' papers including bills, claims, resolutions, roll calls, appointment of committees, tax levies, election papers, petitions, financial statements, county budgets, receipts and expenditures, and committee reports. Arr. by date of session. No index. Hdw. on pr. fm. 10 x 5 x 14. 59 f.b., 1839-1900, co. clk.'s vlt., 1st fl.; 22 f.b., 1901--, co. clk.'s off., 2nd fl.

2. COUNTY COMMISSIONERS' RECORD, 1839--. 14 v. (1A, 2B, 3-14). Title varies: Commissioners' Court Record, 1A, 2B, 3, 1839-68; County Court Record, 4, 5, 1869-80.
Record of county commissioners' proceedings, including copies of ferry licenses, collectors' bonds, county contracts, road commissioners' reports and road plats, communications, committees' reports, resolutions on petitions, county officers' reports, actions on claims, and transactions of county business by the board. Also contains Bond Record, 1839-76, entry 95; and Contract Construction Ledger, 1913-31, entry 281. Arr. by date of session. Indexed alph. by title of subject; for sep. index, 1839-75, see entry 3. 1839-86, hdw.; 1887-1918, hdw. on pr. fm.; 1919--, typed on pr. fm. 600 p. 18 x 13½ x 3. Co. clk.'s off., 2nd fl.

3. INDEX TO COUNTY RECORDS, 1839-75. 1 v.
Index to County Commissioners' Record, entry 2, showing nature of order or proceedings, term date, and book and page of entry. Arr. alph. by title of subject. Hdw. under pr. hdgs. 300 p. 18 x 13 x 2½. Co. clk.'s off., 2nd fl.

Disposition of Accounts

Appropriations (See also entry 1)

4. COUNTY CLERK'S APPROPRIATION LEDGER, 1933--. 1 v.
Record of appropriations of county funds, showing name of fund, date, amount, and purpose of appropriation, amount of disbursements, and balance available. Arr. by date of appropriation. Indexed alph. by name of fund. Hdw. 300 p. 12 1/2 x 10 x 2 1/2. Co. clk.'s off., 2nd fl.

Bills and Claims (See also entries 1, 2)

5. CLAIMS AGAINST COUNTY, 1840--. 136 f.b. (25-556 not consecutive).
Original claims against county approved by the board for payment, showing date, amount, and nature of claim, name of claimant, and date of approval. Arr. by date of claim. No index. Hdw. on pr. fm. 10 x 4 1/2 x 13 1/2. 109 f.b., 1840-97, co. clk.'s vlt., 1st fl.; 27 f.b., 1898--, co. clk.'s off., 2nd fl.

6. EXPENSE OF COURTHOUSE, 1905--. 1 f.b. (556).
Cancelled county claims for office and other supplies for courthouse, showing date, amount, and nature of claim, name of claimant, and date of payment. Arr. by date of claim. No index. Hdw. 10 1/2 x 5 x 14. Co. clk.'s off., 2nd fl.

7. (HIGHWAY CLAIMS), 1931--. 1 f.b. (65).
Claims against county for work done on highways, showing date, amount, and purpose of claim, amount allowed, and date of approval. Arr. by date of approval. No index. Hdw. on pr. fm. 5 1/2 x 4 1/2 x 9 1/2. Co. clk.'s off., 2nd fl.

8. MOTOR FUEL TAX CLAIMS, 1932--. 1 f.b. (62).
Claims against motor fuel tax fund, showing date, number, amount, and purpose of claim and warrant and name of recipient. Arr. by date of claim. No index. Hdw. on pr. fm. 11 x 4 1/2 x 14. Co. clk.'s off., 2nd fl.

Registers of County Orders

9. REGISTER OF COUNTY ORDERS, 1846--. 8 v. (A-H).
Register of all county orders including jury certificates and warrants, showing order number, name of payee, date and amount of order, and date of cancellation. Arr. by date of order. No index. Hdw. under pr. hdgs. 510 p. 18 x 13 x 3. V. A-D, 1846-1910, co. clk.'s vlt., 1st fl.; v. E-H, 1911--, co. clk.'s off., 2nd fl.

10. BOUNTY WARRANTS, 1878--. 1 v. Last entry 1934.
Register of bounty warrants paid for killing ground hogs, crows, and sparrows, showing name of claimant, number killed, date, number, and amount of warrant, and name of recipient. Arr. by date of warrant. No index. Hdw. under pr. hdgs. 240 p. 17 1/2 x 12 1/2 x 1 1/2. Co. clk.'s vlt., 1st fl.

11. (WOLF BOUNTIES), 1878--. 2 v. Last entry 1934. Register of bounties paid for wolf scalps, showing number of wolf scalps, amount and date of warrant, and name of recipient. Arr. by date of warrant. No index. Hdw. under pr. hdgs. 198 p. 14 x 9 x 1. Co. clk.'s vlt., 1st fl.

12. BLIND PENSIONS (Register of Warrants), 1915--. 1 v.
Register of blind pension warrants, showing warrant number, name and address of pensioner, date and amount of payment, and remarks. Arr. by date of issue. Indexed alph. by name of pensioner. Hdw. under pr. hdgs. 150 p. 12 x 8 x 1/2. Co. clk.'s off., 2nd fl.

13. COUNTY HIGHWAY WARRANT REGISTER, 1931--. 1 v. Register of highway warrants, showing names of fund and payee, date of warrant, warrant and claim numbers, purpose of payment, total number of warrants issued, and date of cancellation. Arr. by date of issue. No index. Hdw. 150 p. 14 1/2 x 13 x 1 1/2. Co. clk.'s off., 2nd fl.

14. MOTOR FUEL TAX WARRANT REGISTER, 1931--. 1 v. Register of motor fuel tax warrants, showing dates and numbers of warrants and requisition purchase orders, name and address of claimant, purpose and amount of claim, and amount of payment. Arr. by date of warrant. No index. Hdw. under pr. hdgs. 150 p. 14 x 13 x 1 1/2. Co. clk.'s off., 2nd fl.

Cancelled County Orders

15. (CANCELLED COUNTY ORDERS), 1870--. 258 f.b., 1 f.d.
Cancelled county orders showing date, number, amount, and purpose of order, names of fund drawn upon and recipient, signatures of county clerk and treasurer, and date of cancellation. Arr. by date of order. No index. Hdw. on pr. fm. F.B. 4 1/2 x 5 1/2 x 9; f.d. 18 x 18 x 24. 258 f.b., 1870-91, co. clk.'s vlt., 1st fl.; 1 f.d., 1892--, co. clk.'s off., 2nd fl.

16. COUNTY WARRANTS, 1915--. 4 v.
Stub record of county warrants, showing date, number, and amount of warrant, purpose of payment, and name of payee. Arr. by date of issue. No index. Hdw. on pr. fm. 200 p. 18 1/2 x 13 x 1/2. 2 v., 1915-29, co. clk.'s vlt., 1st fl.; 2 v., 1930--, co. clk.'s off., 2nd fl.

17. BIRTH AND DEATH WARRANTS, 1915--. 1 v.
Stub record of warrants issued for births and deaths reported, showing number, date, and amount of warrant, and name of payee. Arr. by date of issue. No index. Hdw. on pr. fm. 250 p. 16 1/2 x 11 1/2 x 1 1/2. Co. clk.'s off., 2nd fl.

18. JURY CERTIFICATES, 1925--. 2 v.
Stub record of jurors' certificates, showing name and address of juror, date, number, and amount of certificate, days of service, mileage, name of clerk, and signature of juror. Arr. by certificate no. No index. Hdw. on pr. fm. 225 p. 17 1/2 x 12 x 1. Co. clk.'s off., 2nd fl.

19. BOUNTIES, 1900-1934. 1 f.b. (60).
Bounty certificates for ground hogs, crows, and wolves, showing name of claimant, number killed, amount and date of payment, and signature of county clerk. Arr. by date of payment. No index. Hdw. on pr. fm. 10 1/2 x 4 1/2 x 13. Co. clk.'s off., 2nd fl.

Pension Funds and Applications (See also entry 147)

20. MOTHERS' PENSIONS (Applications), 1915--. 1 f.b. (57).
Applications for mothers' pensions, showing date and number of application, names of mother, dependent children, judge, and clerk, investigator's report, court orders, and dates of issue and filing. Arr. by date of filing. No index. Hdw. on pr. fm. 10 x 4 1/2 x 14. Co. clk.'s off., 2nd fl.

21. APPLICATION FOR BENEFIT OF THE BLIND, 1915--. 1 f.b. (58).
Original applications for blind relief, showing name, address, marital status, and age of applicant, amount of income, date of application, and sworn statement by examining physician. Arr. by date of application. No index. Hdw. on pr. fm. 10 x 4 1/2 x 14. Co. clk.'s off., 2nd fl.

Receipts

22. (RECEIPTS FOR COUNTY EXPENDITURES), 1839--. 3 f.b. (221, 329, 457).
County clerk's original receipts for payment of county bills, showing name of firm or institution, date, amount and purpose of receipt, and date of filing. Arr. by date

of receipt. No index. Hdw. 5 1/2 x 4 x 9. F.b. 221, 329, 1839-1905, co. clk.'s vlt., 1st fl.; f.b. 457, 1906--, co. clk.'s off., 2nd fl.

Management of County Properties and Roads

Deeds to County Property

23. (RIGHT-OF-WAY RELEASES), 1847--. 1 f.b. (509), 1 f.d.

Original property releases to right of way for county roads, showing names of grantor and road commissioner, legal description of property, consideration, date of instrument, and acknowledgment. Arr. by date of instrument. No index. Hdw. on pr. fm. 10 x 4 1/2 x 14. Co. clk.'s off., 2nd fl.

Proposals, Bids, and Contracts

24. (COUNTY CONTRACTS), 1839--. 6 f.b. (217-220, 487, 490). Missing: 1846-1890.

Contracts for building supplies, light, gas, power, ice, coal, and improvements, showing date, number, and provisions of contract, name and address of contractor, kind and cost of material for improvement, date contract expires, and amount of penalties charged for failure to fulfill contract. Arr. by date of contract. For index, see entry 40. Hdw., and hdw. on pr. fm.; typed, and typed on pr. fm. 10 1/2 x 5 x 14. Co. clk.'s off., 2nd fl.

Bond Issues

25. HIGHWAY BOND REGISTER, 1917--. 1 v. (1).

Register of bond issues for the construction and repair of county highways and bridges, showing number, amount, purpose, and rate of interest of bond, and dates of maturity and cancellation. Arr. by date of bond issue. No index. Hdw. under pr. hdgs. 150 p. 18 x 13 x 2. Co. clk.'s off., 2nd fl.

26. REGISTER OF RAILROAD BONDS, 1870-78. 1 v.

Register of bonds issued to build railroads in Menard County, showing date, number and amount of bond issue, date of maturity, rate of interest, name of railroad, and date of filing. Arr. by date of filing. No index. Hdw. 135 p. 15 x 11 x 1. Co. clk.'s vlt., 1st fl.

27. ALMSHOUSE BONDS, 1911. 1 f.b.

Copies of bonds issued for building of county almshouse,

showing date, amount, and purpose of issue, and date of maturity. No obvious arr. No index. Hdw. 10 1/2 x 4 1/2 x 14. Co. clk.'s off., 2nd fl.

Insurance

28. INSURANCE POLICIES, 1857--. 2 f.b. (233, 33). Insurance policies covering county buildings, showing name of insurance company, location of property, amounts of policy and premium, and dates of issue and expiration. Arr. by date of expiration. No index. Typed on pr. fm. 10 1/2 x 4 1/2 x 14. F.b. 233, 1857-93, co. clk.'s vlt., 1st fl.; f.b. 33, 1894--, co. clk.'s off., 2nd fl.

Inventories

29. COUNTY FARM (Inventories), 1912--. 1 v. Annual inventories of the county farm, showing valuation and description of property, statement of encumbrances, amount of cash on hand, lists of foods and other supplies, and date of inventory. Arr. by date of inventory. No index. Hdw. 188 p. 12 x 7 1/2 x 1. Co. clk.'s off., 2nd fl.

Reports to Board

(See also entries 1, 2)

30. (SHERIFF'S REPORTS), 1839--. 9 f.b. (258-264, M, 478).
Sheriff's semiannual reports to county board of receipts and expenditures of his office, showing date, amount, and purpose of receipt and expenditure, names of recipient and payer, total receipts and expenditures, balance available, and acknowledgment. Arr. by date of report. No index. Hdw. on pr. fm. 4 x 4 x 10. F.B. 258-264, 1839-1928, co. clk.'s vlt., 1st fl.; f.b. M, 478, 1929--, sh.'s off., 2nd fl.

31. (HIGHWAY REPORTS AND ROAD PETITIONS), 1840--. 7 f.b. (26-29, 33, 34, 297).
Reports of highway commissioners on condition of roads, necessary repairs, and repairs made, and petitions to construct and repair county roads, showing name of petitioner, date and purpose of petition, location of road, name of highway commissioner, and date of filing. Arr. by date of filing. No index. Hdw. 10 1/2 x 4 1/2 x 14. F.B. 26-29, 297, 1840-91, co. clk.'s vlt., 1st fl.; f.b. 33, 34, 1892--, co. clk.'s off., 2nd fl.

32. (COUNTY JAIL REPORTS), 1870--. 4 v. (A-D).
Reports of jail committee to county board, showing findings of condition of jail and housing of prisoners, recommendations for improvements, date of report, and signatures of committees. Arr. by date of report. No index. Hdw. under pr. hdgs. 161 p. 16 x 12 x 2. V. A, B, 1870-1923, co. clk.'s vlt., 1st fl.; v. C, D, 1924--, sh.'s off., 2nd fl.

33. COUNTY OFFICERS SEMIANNUAL REPORTS, 1879--. 3 f.b. (259, 260, 490).
Semiannual reports of county officers to the county board, showing activities and financial proceedings of each office, name of officer, and dates of report and filing. Arr. by date of filing. No index. Hdw. on pr. fm. 10 1/2 x 4 1/2 x 14. F.b. 259, 260, 1879-1913, co. clk.'s vlt., 1st fl.; f.b. 490, 1914--, co. clk.'s off., 2nd fl.

34. COUNTY AUDITOR (Reports), 1922--. 16 v.
Auditor's reports to the county board, showing receipts, disbursements, and balance available in each fund of the various county offices, assets and liabilities, fund allocations, date of report, and acknowledgment. Arr. by date of report. No index. Typed. 40 p. 12 x 12 x 1/2. Co. clk.'s off., 2nd fl.

35. COUNTY TREASURER'S MONTHLY REPORT ON CONDITION OF HIGHWAY FUNDS, 1931--. 1 v.
County treasurer's report to county clerk and superintendent of highways on condition of highways funds, showing date, name of fund, balance, deposits for month, sub-total fund surplus or deficit, commitments and unpaid obligations, and total. Arr. by type of fund. No index. Hdw. on pr. fm. 150 p. 12 x 9 1/2 x 1 1/2. Co. clk.'s off., 2nd fl.

36. COUNTY HIGHWAY WARRANTS CANCELLED (Reports to Board), 1931--. 1 v.
Treasurer's monthly report to county clerk and superintendent of highways, of cancelled highway warrants, showing name of fund, number, date, and amount of warrant, and date of cancellation. Arr. by date of report. No index. Hdw. under pr. hdgs. 150 p. 12 x 13 x 2. Co. clk.'s off., 2nd fl.

37. NOTICE OF INSPECTION, 1939--. 1 f.b.
County mine inspector's reports and notices of inspection, showing name and location of mine, date of inspection, findings as to condition of mine, recommendations, and

signature of mine inspector. Arr. by date of report. No index. Hdw. on pr. fm. 12 x 12 x 24. Co. clk.'s off., 2nd fl.

Jury Lists

38. JURY LIST, 1892--. 2 v. (A, B).
Lists of persons selected for jury service, showing name and address of juror, and remarks. Arr. by date of list. No index. Hdw. under pr. hdgs. 320 p. 16 x 12 x 2. Co. clk.'s off., 2nd fl.

Civil Service Rules

39. CIVIL SERVICE RECORD, 1906. 1 v.
Record of rules of Illinois State Civil Service Commission, including rules governing administration, applications, examinations, promotions, removals, transfers, classifications, and certifications for appointment. This volume contains only one set of rules. No obvious arr. No index. Typed. 294 p. 18 x 13 x 2. Co. clk.'s off., 2nd fl.

(Next entry 40, p. 138)

II. COUNTY CLERK

Forerunner of the present county clerk was the clerk of the county commissioners' court. This court was the administrative body in Menard County from 1839, the date of organization of the county, to 1849.[1] The Constitution of 1848 and laws of 1849 created a new judicial branch of county government presided over by the county judge and entitled the "county court", and provided for the quadrennial election of a "clerk of the county court".[2] In addition to his duties as clerk of the judicial court, the incumbent was also to act as clerk of the administrative branch of government which consisted of the county judge and two justices of the peace.[3] The clerk was required to keep the records of the court's judicial actions separate from those resulting from its activities as an administrative body.[4]

The above-mentioned clerks all performed the duties of county clerk as well as those of clerks of a judicial or administrative body. In fact, legislation frequently referred to these incumbents as "county clerks" when defining duties relating to county business as distinct from their duties in other capacities.[5] The Constitution of 1870 specifically provided for a county clerk[6] who has continued to act to the present in this capacity, and also as clerk of the county board[7] and clerk of the county court.[8] The revised statutes of 1874 adopted the use of a distinction of titles for each of his ex officio capacities, applying the title "county clerk" only when referring to his duties as such.[9] It is the performance of these duties that gives rise to the records dealt within this section.

An act of 1837 required that the clerk of the county commissioners' court be elected. In 1839 the year Menard County was organized, this officer was elected for a four-

1. Const. 1818, Schedule, Sec. 4; L. 1819, p. 175.
2. Const. 1848, Art. V, Sec. 16,18,19; L. 1849, p. 62, 63.
3. Ibid., p. 65,66.
4. Ibid., p. 66.
5. L. 1819, p. 27; L. 1853, p. 87; L. 1855, p. 37.
6. Art. VI, Sec. 18 and Art. X, Sec. 8.
7. R.S. 1874, p. 322.
8. Ibid., p. 260.
9. Ibid., p. 260,322.

year term;[10] a two-year term became effective in 1847.[11] A bond of $1,000 was set.[12] The clerk of the county court served for a four-year term and was bonded in the sum of $3,000.[13] The Constitution of 1870 and the revised statutes of 1874, establishing the office of county clerk, provided for his election for a quadrennial term, and that the amount of his bond be set by the county board.[14] The bond is entered upon the records of his office, and deposited with the clerk of the circuit court. He is required to take oath, and is commissioned by the Governor.[15] The county seal is kept by the clerk and is used by him when required. The compensation of the clerk is fixed by the county board within the limits set by the constitution. In counties the size of Menard, with a population of 10,663, the compensation of the clerk shall not exceed $1,500 a year.[16]

In general, the county clerk's performance of his functions results in records relating to the following: taxation, vital statistics, licenses, and bonds. Various officials and agencies having authority over these matters report to, or deposit records with, the county clerk who in this manner acts as a coordinating factor in the execution of local and state affairs. In regard to other of these matters, the clerk is required to perform duties on his own behalf and retain the records resulting from such performance.

Illustrations of both of these procedures may be found by examining the various duties and records relating to taxation. The county clerk must procure all books and blanks used in the assessment and collection of taxes, and list in such books the lands and lots subject to taxation;[17] they are then turned over to the county assessor who enters the valuations against each piece of property

10. R.L. 1837, p. 49.
11. L. 1845, p. 28. Effective in 1847.
12. L. 1819, p. 176,177; R.L. 1833, p. 143; R.S. 1845, p. 131.
13. L. 1849, p. 63,64.
14. Const. 1870, Art. X, Sec. 8; R.S. 1874, p. 321.
15. Ibid.
16. Const. 1870, Art. X, Sec. 10.
17. L. 1867, p. 106; L. 1871-72, p. 19,20,32; L. 1903, p. 297. During the period of the first constitution such books and lists were prepared by the auditor of public accounts and turned over to the clerk of the county commissioners' court (L. 1825, p. 173; R.L. 1827, p. 329; L. 1839, p. 3,4; L. 1847, p. 79).

listed and returns the books in duplicate to the county clerk.[18] Personal property assessments are handled in essentially the same manner. The county board, acting ex officio, as board of review, then makes adjustments on complaints and equalizes assessments between districts, certifying corrections and revisions to the county clerk.[19] The county clerk then reports the entire assessment list to the State Tax Commission for equalization; the equalized list is afterwards used by the county clerk in ascertaining tax rates and extending taxes.[20]

The State Tax Commission also certifies to the county clerk the assessments on the capital stock of corporations and railroad and telegraph companies, it being the duty of the clerk to extend these taxes and retain the books after use by the collector.[21]

The books are next turned over to the county collector who, after collection, returns lists of collections, together with lists of uncollected real and personal property taxes.[22] The county clerk attends all tax sales, prepares a list of all sales and issues duplicate reports thereof, records affidavits of purchases of property for taxes, and keeps a record known as the "tax judgment, sale, redemption, and forfeiture record".[23]

An extensive group of records of vital statistics is kept by the county clerk, including records relating to births and deaths, marriages, physicians, and midwives. The first legislation in regard to the keeping of vital statistics was included in the act for the establishment of medical societies.[24] One section of this act made it the duty of every physician to keep a record of births, deaths, and diseases occurring within the vicinity of his practice, and to transmit such record to his medical society, whereupon the record was to be published in the newspapers. In 1842 it was provided that a parent could appear before the clerk of the county commissioners' court and make affidavit as to the birth of a child, and the eldest next of kin of a deceased person could similarly

18. L. 1871-72, p. 19,21-23.
19. Ibid., p. 24,25,69; L. 1898, p. 47,48; L. 1935, p. 1163-66.
20. L. 1919, p. 723.
21. L. 1871-72, p. 11,13,16; L. 1937, p. 1011,1012.
22. L. 1849, p. 124,125; L. 1871-72, p. 55; L. 1931, p. 759.
23. L. 1839, p. 3; L. 1871-72, p. 48; L. 1879, p. 250.
24. L. 1819, p. 233.

appear and make affidavit as to death.[25] It is probable that the tenor of the above-mentioned laws explains the fact that no birth or death reports were recorded in Menard County prior to 1877,[26] the first law, 1819, requiring no public record to be kept, and that of 1842 providing that the affidavits "may" be made. The act of 1877 creating the State Board of Health required that all births and deaths in the county be reported to the county clerk by attending physicians or accoucheurs.[27] Teeth were put into this and subsequent laws by providing penalties for noncompliance. In 1901, death certificates issued by physicians, midwives, or coroners were to be presented to the district agent who issued burial permits and forwarded the certificates to the county clerk.[28] In 1903, certificates of death were to be turned over to the State Board of Health, which then delivered to the county clerk all certificates so received.[29] Later it was provided that the road district clerks should annually deposit with the county clerk a complete set of the records of births, stillbirths, and deaths registered with them. The county clerk was charged with binding and indexing, or recording, and safekeeping of such records.[30] From the earliest date, the legislation in regard to these matters provided that the clerk retain the abstracts and certificates, keep a record of births and deaths, maintain alphabetical indexes, and issue certified copies of certificates upon request. The clerk has also been required to prepare a register of all physicians and accoucheurs in the county.[31]

Since the organization of Menard County in 1839 the county clerk, or clerk of the county commissioners' court, has been required to file marriage certificates and certificates of parents' consent to the marriage of minors.[32] In 1827 the clerk was required to keep a separate register of marriages in addition to his file of certificates.[33] Before 1877, persons desiring to marry were required to secure licenses from the county clerk only when they had

25. L. 1842-43, p. 210-12.
26. See Birth and Death Certificates (Stillbirth), entry 62.
27. L. 1877, p. 209.
28. L. 1901, p. 302,303. See Clerk's Account Births and Deaths, entry 100.
29. L. 1903, p. 315-18.
30. L. 1915, p. 667.
31. L. 1877, p. 209.
32. L. 1819, p. 27; R.S. 1845, p. 354; R.S. 1874, p. 694.
33. R.L. 1827, p. 289.

not previously published such intention, but in that year the securing of a license was made mandatory.[34] Although a record of applications for marriage licenses has been kept by the clerk in this county since 1839,[35] an act of 1937 appears to be the first legislation requiring the maintenance of such a record.[36] The same act provides that persons desiring to marry shall present to the county clerk a certificate setting forth that such persons are free from venereal diseases such certificates to be filed with the application for license to marry.[37] Index to marriage records have been kept in Menard County since 1839.[38]

The county clerk is charged with a number of duties relating to elections: preparing and issuing blank ballots,[39] poll books,[40] and certificates of election,[41] and keeping a record of registers of election,[42] petitions,[43] and marked ballots,[44] tally sheets,[45] and election returns which are transmitted to him by the judges of election.[46] Abstracts of returns were formerly prepared by the clerk, but these are now originated by the election commissioners or judges of election and deposited with the clerk. Returned ballots are destroyed by the clerk six months after election, provided no contest in which the ballots are needed is in progress.[47] In 1889, when returns of elections for school trustees were made to the county clerk, he was charged with furnishing to the county superintendent of schools a list of all such trustees.[48] Now the clerk does not enter into the procedure, the school trustees canvassing the returns and certifying directly to the superintendent of schools.[49]

34. L. 1877, p. 130.
35. See (Application for Marriage License), entry 68.
36. L. 1937, p. 909.
37. Ibid., p. 910.
38. See Index to Marriage Record, entry 72.
39. L. 1891, p. 113; L. 1911, p. 311.
40. L. 1871-72, p. 386.
41. L. 1819, p. 96; L. 1821, p. 79; L. 1823, p. 64; L. 1885, p. 176.
42. L. 1865, p. 59; L. 1871-72, p. 386.
43. L. 1911, p. 310,311; L. 1929, p. 422.
44. L. 1891, p. 118.
45. L. 1885, p. 143.
46. L. 1819, p. 86; L. 1821, p. 77; L. 1823, p. 64; L. 1871-72, p. 96.
47. L. 1917, p. 444.
48. L. 1889, p. 271,322.
49. L. 1909, p. 352.

The bonds of a number of officials are required to be transmitted to the clerk for filing and entering in a book maintained for that purpose.[50] Justices' of the peace and constables' oaths, bonds, and securities are approved by the clerk and entered in a separate book in accordance with statutory requirements. This book shows the date on which each justice of the peace and constable was sworn into office and the date of commission by the Governor. Resignations from these offices are made to the county clerk who enters such fact in the justices' and constables' record.[51]

The clerk is also charged with issuing licenses to taverns,[52] ferries,[53] etc., and keeping records of the same. Other recordations made are: records relating to estrays;[54] registers of professionals, including physicians,[55] midwives,[56] dentists,[57] chiropodists,[58] and veterinarians,[59] record of notaries public;[60] and book of state civil service rules.[61] The county clerk reports annually to the State Department of Public Health the names and addresses of the county commissioners and the dates of expiration of their terms of office.[62]

Included in the provision that the county clerk be charged with the care and custody of all records, books, and papers appertaining to, and filed or deposited in, his office[63] are those duties as clerk of the county board, wherein he is required to record the proceedings of the board and to file all their books, records, and accounts.[64]

50. R.S. 1845, p. 396,397; L. 1861, p. 237,238; R.S. 1874, p. 325; L. 1895, p. 188.
51. Ibid.
52. L. 1819, p. 77-79; L. 1933-34, Second Sp. Sess., p. 64-66.
53. R.L. 1827, p. 221; R.S. 1874, p. 530.
54. L. 1819, p. 206,207; R.S. 1874, p. 483.
55. L. 1877, p. 209; L. 1899, p. 275; L. 1923, p. 441, 442.
56. L. 1877, p. 209; L. 1899, p. 275; L. 1923, p. 441, 442.
57. L. 1881, p. 79; L. 1899, p. 273; L. 1909, p. 279, L. 1933, p. 711.
58. L. 1899, p. 280; L. 1935, p. 995.
59. L. 1917, p. 591.
60. L. 1871-72, p. 575, R.S. 1874, p. 721; L. 1875, p. 88.
61. L. 1905, p. 115.
62. L. 1923, p. 480.
63. R.S. 1874, p. 322.
64. Ibid.

Also included are his record-keeping duties, ex officio, as clerk of the county court, with its resulting duties in relation to probate matters.[65] The clerk is also required to keep jury lists[66] and a book in which he enters details as to orders upon the treasurer. He is further required to maintain alphabetical indexes of all records and papers in his office, and to supply copies of these records or papers to any person upon request and payment of the required fee.[67]

General Index

40. INDEX TO FILES, 1839--. 3 v. (A, B, 1839--; 6, 1913--).
Index to miscellaneous files including: (County Contracts), 1839--, entry 24; (Delinquent Tax Lists), 1875--, entry 53; Affidavits for Tax Deed, 1850--, entry 56; (Election Records), 1839--, entry 87; (Petitions of Candidates), 1924--, entry 88; County Court Files, 1872--, entry 130; (Collector's Duplicates), 1857--, entry 238; (Collector's Settlement), 1850--, entry 240, showing title of document and file box number. Arr. by title of document. Hdw. 300 p. 14 x 11 x 2. V. A, 1839-1912, co. clk.'s vlt., 1st fl.; v. B, 1913--, 6, 1913--, co. clk.'s off., 2nd fl.

Taxation

(See also entries 1, 138, 231-242, 244, 273)

Lists of Taxable Property, Levies

41. DOCKET OF RATES AND AMOUNTS, 1928--. 1 f.b.
Card file of rates and amounts wanted, showing name of township and number of school district, valuations of lands, lots, personal and railroad property, values as equalized by state board, total valuations, amount of tax levy, rate of taxation, total tax levy, and date of filing. Arr. by date of filing. No index. Hdw. on pr. fm. 16 1/2 x 9 1/2 x 11. Co. clk.'s off., 2nd fl.

42. ASSESSOR'S BOOKS, 1824--. 686 v. (Menard County as a whole, Real Estate and Personal Property, 1824-98. 346 v. Missing: 1840.
Townships 18, 19, R 4 W., 17, 18, 19, 20, R 5 W., Personal Property, 1899--. 40 v.

65. R.S. 1874, p. 260.
66. Ibid., p. 630.
67. Ibid., p. 321,322.

Townships 17, 18, 19, 20, R 6 W., Personal Property, 1899--. 40 v.
Townships 17, 18, 19, 20, R 7 W., Personal Property, 1899--. 40 v.
Townships 17, 18, 19, 20, R 8 W., Personal Property, 1899--. 40 v.
Cities and Towns Outside Petersburg, Personal Property, 1899--. 40 v.
City of Petersburg, Personal Property, 1899--. 40 v.
Townships 18, 19, R 4 W., 17, 18, R 5 W., Real Estate, 1899--. 10 v.
Townships 19, 20, R 5 W., Real Estate, 1899--. 10 v.
Township 17, R 6 W., Real Estate, 1899--. 10 v.
Township 18, R 6 W., Real Estate, 1899--. 10 v.
Townships 19, 20, R 6 W., Real Estate, 1899--. 10 v.
Township 17, R 7 and 8 W., Real Estate, 1899--. 10 v.
Township 18, R 7 and 8 W., Real Estate, 1899--. 10 v.
Townships 19, 20, R 7 and 8 W., Real Estate, 1899--. 10 v.
Lots Outside of Petersburg, Real Estate, 1899--. 10 v.
City of Petersburg, Real Estate, 1899--. 10 v.).

Lists of taxable real estate and personal property, showing name of owner, description of property, assessed and equalized values, tax spread, and total tax. Real estate arr. by sec., twp., and range nos.; personal property arr. alph. by name of owner. No index. Hdw. under pr. hdgs. 80 - 300 p. 12 x 10 x 1 - 12 x 10 x 2. Co. clk.'s vlt., 1st fl.

43. ASSESSOR'S BOOKS (Duplicate), Real Estate Only, 1899--. 100 v. (Townships 18, 19, R 4 W., 17, 18, R 5 W. 10 v.
Townships 19, 20, R 5 W. 10 v.
Townships 17, R 6 W. 10 v.
Townships 18, R 6 W. 10 v.
Townships 19, 20, R 6 W. 10 v.
Township 17, R 7, 8 W. 10 v.
Township 18, R 7, 8 W. 10 v.
Townships 19, R 7, 8 W., 20, R 7, 8 W. 10 v.
Lots outside of Petersburg. 10 v.
City of Petersburg, 10 v.).

Copies of assessor's lists of taxable real estate, showing name of owner, description of property, assessed and equalized values, tax spread, and total tax. Arr. by sec., twp., and range nos. No index. Hdw. under pr. hdgs. 80 p. 12 x 10 x 1. Co. clk.'s vlt., 1st fl.

44. RAILROAD TAX BOOKS, 1874--. 4 v.
Lists of taxable railroad property, showing name of railroad company, legal description of property, number of acres of right of way, miles of track, value as listed by railroad company, equalized value as fixed by county and state boards, tax spread, amount of back tax, and total tax. Arr. by date of levy. No index. Hdw. under pr. hdgs. 200 p. 17 x 15 x 2. 2 v., 1874-1920, co. clk.'s vlt., 1st fl.; 2 v., 1921--, co. clk.'s off., 2nd fl.

45. TELEGRAPH TAX BOOK, 1897--. 3 v.
Lists of taxable property of public utilities, showing date, tax spread, legal description of property, and amount of tax assessment. Arr. by date of levy. No index. Hdw. under pr. hdgs. 100 p. 18 x 12 x 1. 1 v., 1897-1915, co. clk.'s vlt., 1st fl.; 2 v., 1915--, co. clk.'s off., 2nd fl.

46. (CITY TAX FOR SIDEWALKS), 1927--. 1 f.b. (33).
City of Petersburg sidewalk assessment rolls showing description and location of walk, name of owner, and dates and amount of assessment. Arr. by date of assessment. No index. Hdw. 4 1/2 x 4 1/2 x 14. Co. clk.'s off., 2nd fl.

47. ENTRIES OF CONVEYANCES, 1865--. 8 v. (A-H).
Copies of land conveyances, real and chattel mortgages, release deeds, and mortgage assignments, used for assessing of property taxes, showing name of grantor, grantee, mortgagee, legal description of property, consideration, date of instrument, and amount of tax assessment. Arr. by twp., sec., and range nos. No index. Hdw. under pr. hdgs. 486 p. 17 x 15 x 3. Co. clk.'s off., 2nd fl.

48. LAND ENTRY BOOK, 1824-61. 1 v.
State auditor's list of all taxable lands in Menard County, including lands transcribed from Sangamon County, showing date of entry, name of owner, and legal description of land. Arr. by twp., sec., and range nos. No index. Hdw. 108 p. 17 1/2 x 12 x 1. Co. clk.'s off., 2nd fl.

49. TOWN LIST, 1824-61. 1 v.
List of taxable real estate in incorporated towns, showing name and address of owner, legal description and valuation of property, date of entry, range and section numbers, and acreage. This volume is a transcription from Sangamon County records. Arr. by date of entry. No index. Hdw. under pr. hdgs. 225 p. 17 x 12 x 1 1/2. Co. clk.'s off., 2nd fl.

50. TRACT BOOK, 1827-48. 1 v.
Tract book showing legal description of all lands annexed from Sangamon County, names of owners, and date of entry.

Arr. by sec., twp., and range nos. No index. Hdw. 225 p. 16 x 11 1/2 x 2. Co. clk.'s off., 2nd fl.

51. AGRICULTURAL STATISTICS, 1877-97. 1 v. Record of agricultural statistics, showing date, names of township and assessor, bushels of grain crops, number and value of livestock, number of acres of pasture, woodland, and uncultivated land, total in township, and acres of cities and towns. Arr. by date of census. No index. Hdw. on pr. fm. 50 p. 17 x 15 x 1/2. Co. clk.'s vlt., 1st fl.

Collections, Abatement

52. COLLECTOR'S BOOKS, 1846--. 337 v. (Menard County as a whole, Real Estate and Personal Property, 1846-1906. 95 v. Missing: 1847, 1850.
Menard County as a whole, Personal Property, 1907--. 62 v.
Townships 18 N, 19 N, R 4 W.; 17 N, 18 N, 19 N, R 5 W., Lands and Personal Property, 1907--. 31 v.
Townships 17 N, 18 N, 19 N, 20 N, R 6 W., Lands and Personal Property, 1907--. 31 v.
Townships 17 N, 18 N, 19 N, 20 N, R 7 W., Lands and Personal Property, 1907--. 31 v.
Townships 17 N, 18 N, 19 N, 20 N, R 8 W., Lands and Personal Property, 1907--. 31 v.
Town Lots, City and Towns outside of Petersburg, 1907--. 28 v.
Town Lots, City of Petersburg, 1907--. 28 v.

Collector's record of taxable real and personal property, showing names of owner, township and city, description of property, tax spread, amount, date paid, and amount delinquent. An abstract of the footings of each column is carried in this series, 1907--. Real estate arr. by sec., twp., and range nos.; personal property arr. alph. by name of owner. No index. 1846, hdw.; 1848--, hdw. under pr. hdgs. 31 p. 17 x 16 x 1. 321 v., 1846-1936, co. clk.'s vlt., 1st fl.; 16 v., 1937--, sh.'s off., 2nd fl.

53. (DELINQUENT TAX LISTS), 1875--. 2 f.b. (91,506). Delinquent tax lists showing name of owner, legal description of property, kind of tax, equalized value of property, total amount of delinquent taxes, and remarks. Arr. by date of levy. For index, see entry 40. Hdw. under pr. hdgs. 10 1/2 x 5 x 14. F.b. 91, 1875-79, co. clk.'s vlt., 1st fl.; f.b. 506, 1880--, co. clk.'s off., 2nd fl.

54. DELINQUENT LAND RECORD, 1850-80. 1 v. 1840-49 in Record of Land Sale, entry 60; 1881-- in Tax Judgment, Sale, Redemption and Forfeiture Record, entry 58.
List of lands on which taxes are unpaid and delinquent, showing date, name of owner, legal description of land, and amount of taxes due. Arr. by twp., sec., and range nos. No index. Hdw. under pr. hdgs. 350 p. 16 x 11 x 2 1/2. Co. clk.'s off., 2nd fl.

55. ABATEMENT RECORDS, 1935--. 4 bdl., 1 f.d.
Original tax abatement papers showing name of property owner, legal description of property, equalized value by State Board, non-high school, road district, school, and district school taxes, total amount of tax due, cause of delinquency, and remarks. Arr. by sec., twp., and range nos. Hdw. under pr. hdgs. Bdl. 3 x 4 1/2 x 12; f.d. 12 x 14 x 17. Co. clk.'s off., 2nd fl.

Judgment, Sale, and Redemption

56. AFFIDAVITS FOR TAX DEED, 1850--. 5 f.b. (254, 255, 353, 354, 501).
Original affidavits for tax deeds, showing date, legal description of property, amount of taxes, costs and interest due, amount, date and place of sale, name of purchaser, and acknowledgment. Arr. by date of affidavit. For index, see entry 40. Hdw. on pr. fm. 10 1/2 x 4 1/2 x 14. F.b. 254, 255, 353, 354, 1850-1934, co. clk.'s vlt., 1st fl.; f.b. 501, 1935--, co. clk.'s off., 2nd fl.

57. RECORD OF AFFIDAVITS FOR TAX DEEDS, 1867--. 1 v. (A).
Record of affidavits for tax deeds, showing date, names of owner and purchaser, legal notice of sale, description of property, dates of sale and affidavit, amount of taxes due, dates of filing and acknowledgment, and court orders. Arr. by date of affidavit. Indexed alph. by name of purchaser. Hdw. on pr. fm. 596 p. 18 x 13 1/2 x 3. Co. clk.'s off., 2nd fl.

58. TAX JUDGMENT, SALE, REDEMPTION AND FORFEITURE RECORD, 1881--. 6 v. (D-I).
Record of delinquent lands, tax judgments, sales, redemptions and forfeitures, showing names of owner, purchaser or redeemer, legal description of property assessed and equalized value, amount of delinquent tax, forfeiture, tax interest, penalties and costs due, date and amount of sale and redemption, and acknowledgment. Delinquent Land Record, entry 54, and Record of Land Sale, entry 60, for-

merly kept separately. Arr. by twp., sec., and range nos. No index. Hdw. on pr. fm. 350 p. 17 x 23 x 3. Co. clk.'s off., 2nd fl.

59. TAX SALE CERTIFICATES, 1883--. 1 f.b. (140), 1 f.d.

Original tax sale certificates of purchase, showing names of owner, purchaser, clerk, and collector, dates of sale and filing, legal description of property, amounts of taxes and costs due, date and amount of sale, and acknowledgment. Arr. by date of sale. No index. Hdw. on pr. fm. 10 1/2 x 5 x 14. 1 f.b. 140, 1883-1915, co. clk.'s vlt., 1st fl.; 1 f.d., 1916--, co. clk.'s off., 2nd fl.

60. RECORD OF LAND SALE, 1840-80. 4 v. (1, 2, B, 1 not labeled). 1881-- in Tax Judgment, Sale, Redemption and Forfeiture Record, entry 58.

Record of tax judgments, forfeitures, sales and redemptions, showing names of owner, purchaser, redeemer and sheriff, value and legal description of property, cause for delinquency, date and amount of judgment, sale, or redemption, and acknowledgment. Also contains Delinquent Land Record, 1840-49, entry 54. Arr. by twp., sec., and range nos. No index. Hdw. on pr. fm. 350 p. 16 x 12 x 2. Co. clk.'s off., 2nd fl.

Vital Statistics

Births

61. BIRTH REPORTS (Certificates), 1916--. 8 v. (1-8). 1877-1915 in Birth and Death Certificates (Stillbirths), entry 62.

Original bound certificates of births, showing certificate number, date, place of birth, names of child, parents, physician or midwife, personal and statistical particulars, signatures of physician and county clerk, and date of filing. Arr. alph. by name of child. No index. Hdw. on pr. fm. 450 p. 10 x 9 x 3. Co. clk.'s off., 2nd fl.

62. BIRTH AND DEATH CERTIFICATES (Stillbirths), 1877-1915. 12 f.b. (66, 312, 313, 349, 381, 383, 385-388, 516, 547).

Certificates of births, deaths and stillbirths, showing certificate number, date, place of birth, names of child, parents, physician or midwife, personal and statistical particulars, signatures of physician and county clerk, and date of filing. Arr. by date of certificate. Birth Reports (Certificates), entry 61 and Deaths and Stillbirths

(Certificates), entry 65, subsequently kept separately. No index. Hdw. on pr. fm. 10 1/2 x 5 x 14. F.b. 66, 312, 313, 349, 381, 383, 385-388, 1877-1910, co. clk.'s vlt., 1st fl.; f.b. 516, 547, 1911-15, co. clk.'s off., 2nd fl.

63. REGISTER OF BIRTHS, 1877-1923. 4 v. (1-4). Register of births, showing certificate number, place, date of birth, sex and race, names of child, parents, and physician or midwife, number of children of mother, signatures of physician, county clerk, and date of filing. Arr. by date of birth. For index, 1877-1915, see entry 64; 1916-23, indexed alph. by name of child. Hdw. on pr. fm. 600 p. 18 x 12 x 3. Co. clk.'s off., 1st fl.

64. INDEX TO BIRTH RECORD, 1877-1915. 1 v. (1). Index to Register of Births, 1877-1915, entry 63, showing names of child and parents, certificate number, record labeling, and page of entry. Arr. alph. by name of child. Hdw. under pr. hdgs. 150 p. 15 x 12 x 1. Co. clk.'s off., 2nd fl.

Deaths

65. DEATH AND STILLBIRTHS (Certificates), 1916--. 8 v. (1-8). 1877-1915 in Birth and Death Certificates (Stillbirths), entry 62. Certificates of deaths and stillbirths, showing names of deceased, parents, physician and undertaker, date, cause, and place of death, and date of filing. Arr. alph. by name of deceased. No index. Hdw. on pr. fm. 400 p. 10 x 9 x 3. Co. clk.'s off., 2nd fl.

66. REGISTER OF DEATHS AND STILLBIRTHS, 1877-1923. 2 v. (1, 2). Register of deaths and stillbirths, showing names of deceased, parents, physician, and undertaker, cause, date, and place of death, and date of filing. Arr. by date of filing. Indexed alph. by name of deceased. Hdw. on pr. fm. 580 p. 17 1/2 x 13 x 3. Co. clk.'s off., 2nd fl.

67. SOLDIERS' AND SAILORS' BURIAL CERTIFICATES AND VETERANS' DEATH RECORD, 1904--. 2 v. (1, 1). Record of burial certificates of veterans of the Spanish-American and World War, showing date and place of death, name and last address of veteran, personal, occupational and statistical particulars, place of burial, and medical certificate of death. Arr. by date of death. Indexed alph. by name of deceased. 1904-35, hdw.; 1936--, typed

on pr. fm. 200 - 300 p. 12 x 10 x 1 - 18 x 13 x 2. Co. clk.'s off., 2nd fl.

Marriages

68. (APPLICATION FOR MARRIAGE LICENSE), 1839--. 20 f.b. (1-15, 65, 67-69, 503).
Application for marriage licenses, showing names of male and female, addresses, ages, date and number of application, and signature of county clerk. Arr. by date of application. No index. Hdw. on pr. fm. 10 1/2 x 5 x 14. F.b. 1-15, 1839-1904, co. clk.'s vlt., 1st fl.; f.b. 65, 67-69, 503, 1905--, co. clk.'s off., 2nd fl.

69. MARRIAGE LICENSE, 1839--. 35 f.b. (1-17, 19, 50-54, 106, 156, 204-207, 209-211, 510, 513, 535).
Original marriage licenses returned to county clerk, showing names of male, female, and official performing ceremony, personal and statistical particulars, license number, and dates of license, ceremony, and return. Arr. by license no. No index. Hdw. on pr. fm. 10 1/2 x 4 1/2 x 14. F.b. 1-17, 19, 50-54, 106, 156, 204-207, 209-211, 1839-1910, co. clk.'s vlt., 1st fl.; f.b. 510, 513, 535, 1911--, co. clk.'s off., 2nd fl.

70. PHYSICIAN'S CERTIFICATES, 1937--. 1 f.d.
Physician's certificate of examination of persons wishing to secure a marriage license, showing names of physician and person examined, date, race, certificate number, results of examination, and signature of physician. Arr. by date of certificate. No index. Hdw. on pr. fm. 10 1/2 x 7 1/2 x 15. Co. clk.'s off., 2nd fl.

71. MARRIAGE RECORD, 1839--. 4 v. (A-D).
Record of marriages, showing names of bride, groom, witnesses, county clerk, and official performing marriage, race, ages and residence of bride and groom, dates of license and marriage, and license number. Arr. by date of marriage. Indexed alph. by name of male; for separate index, 1839--, see entry 72. Hdw. on pr. fm. 450 p. 17 x 12 1/2 x 3. Co. clk.'s off., 2nd fl.

72. INDEX TO MARRIAGE RECORD, 1839--. 2 v. (A, B).
Index to Marriage Record, 1839--, entry 71, and Marriage Register, 1878--, entry 73, showing names of male and female, and book and page of entry. Arr. alph. by name of male. Hdw. 350 p. 14 x 10 x 2. Co. clk.'s off., 2nd fl.

73. MARRIAGE REGISTER, 1878--. 3 v. (1-3).
Register of marriages, showing number and dates of issue and return of license; names and residences of bride, groom and parents; ages, race, occupations and birthplaces of bride and groom; date and place of marriage; names of witnesses and official performing ceremony. Arr. by date of license. Indexed alph. by name of male; for sep. index, see entry 72. Hdw. under pr. hdgs. 350 p. 18 x 13 x 2 1/2. Co. clk.'s off., 2nd fl.

Licenses and Registers

Register of Officers

74. REGISTER OF COUNTY OFFICES, 1839--. 2 v.
Register of officers, showing name, date of election or appointment, oath, amount and term of bond, and expiration of term of office. Arr. by date of election or appointment. Indexed alph. by name of officer. 1839-64, hdw.; 1865--, hdw. under pr. hdgs. 210-239 p. 12 x 10 x 2 - 17 x 13 x 2. Co. clk.'s off., 2nd fl.

Professional Licenses and Registers

75. (APPOINTMENT OF DEPUTY SHERIFFS), 1890--. 3 f.b. (39, 357, 475).
Record of appointment of deputy sheriffs, showing name of deputy, date and term of appointment, oath and obligations, and date of filing. Arr. by date of filing. No index. Hdw. on pr. fm. 10 x 5 x 14. Co. clk.'s off., 2nd fl.

76. REGISTER OF PHYSICIANS AND ACCOUCHEURS, 1853--. 1 v. (1).
Register of physicians' and accoucheurs' certificates, showing date and number of certificate, name, age and nativity of physician or accoucheur, school of practice, certification, and names of board members. Arr. by date of registration. Indexed alph. by name of physician or accoucheur. Hdw. under pr. hdgs. 215 p. 18 x 12 x 2. Co. clk.'s off., 2nd fl.

77. RECORD OF PHYSICIANS' CERTIFICATES, 1864--. 2 v. (1, 2).
Copies of certificates of physicians, showing names of physician and school attended, dates of graduation and certificate, approval of state board of public health, and names of board members. Arr. by date of entry. In-

dexed alph. by name of physician. Hdw. on pr. fm. 215 p. 18 x 12 x 2. Co. clk.'s off., 2nd fl.

78. DENTISTS' REGISTER, 1885--. 2 v. (1, 2).
Copies of dentists' certificates, showing date and certificate number, name and address of dentist, and names of president, secretary, and members of the board. Arr. by date of registration. Indexed alph. by name of dentist. Hdw. on pr. fm. 185 p. 18 x 13 x 2. Co. clk.'s off., 2nd fl.

79. RECORD OF ARCHITECTS' LICENSES, 1897--. 1 v.
Copies of architects' licenses issued by the state committee of examiners of architects, showing license number, date, name and address of architect, certification to practice, and signatures of president and secretary of board. Arr. by date of registration. Indexed alph. by name of architect. Hdw. on pr. fm. 160 p. 16 x 11 x 1. Co. clk.'s off., 2nd fl.

80. REGISTER OF NURSES, 1914--. 1 v. (A).
Copies of nurses' certificates, showing name and address of nurse, certificate number, dates of certificate, graduation and registration, and certification of board of examiners. Arr. by date of registration. Indexed alph. by name of nurse. Hdw. on pr. fm. 160 p. 18 1/2 x 12 x 2. Co. clk.'s off., 2nd fl.

81. OPTOMETRY REGISTER, 1916--. 1 v.
Register of optometrists' certificates, showing names and addresses of optometrists, numbers and dates of licenses, dates of filing, names of president and secretary of board of examiners, and signature of clerk. Arr. by date of registration. Indexed alph. by name of optometrist. Hdw. under pr. hdgs. 250 p. 18 x 12 x 2. Co. clk.'s off., 2nd fl.

Patents

82. PATENT RECORD, 1851-70. 1 v. Subsequent records kept by Federal Patent Office, Washington, D.C.
Record of registered patents, showing number and date of patent, name and address of patentee, description of invention, duration of patent rights, names of Secretary of Interior and Commissioner of Patents, affidavit of patentee, and signature of county clerk. Arr. by date of registration. Indexed alph. by name of applicant. Hdw. on pr. fm. 420 p. 18 x 13 x 3. Co. clk.'s vlt., 1st fl.

Militia Roll

83. MILITIA ROLL RECORD, 1863--. 1 v.
Militia enlistment roll for the Civil War, showing name, age, and rank of enlisted person, and date and place of enrollment. Arr. by date of enlistment. No index. Hdw. 200 p. 16 x 14 x 1 1/2. Co. clk.'s vlt., 1st fl.

Farm Names

84. REGISTER OF FARM NAMES, 1915--. 1 v. (1).
Register of farm names, showing name and address of owner, and name and legal description of property. Arr. by date of registration. Indexed alph. by name of owner. Hdw. on pr. fm. 296 p. 18 x 12 1/2 x 2. Cir. clk.'s off., 2nd fl.

Estrays, Marks and Brands

85. (ESTRAY PAPERS), 1839--. 3 f.b. (46-48).
Estray certificates showing description of estray, place and by whom taken up, date, and amount of redemption. Arr. by date of finding. No index. Hdw. 5 x 4 1/2 x 9. Co. clk.'s vlt., 1st fl.

86. ESTRAY RECORDS, 1870--. 1 v. (B).
Register of stray livestock taken up and reported to county clerk, showing place, date, and by whom found, description of animal, and appraised value. Arr. by date of report. No index. Hdw. under pr. hdgs. 250 p. 16 x 12 x 2. Co. clk.'s vlt., 1st fl.

Elections

87. (ELECTION RECORDS), 1839--. 33 f.b. (21-33, 33-36, 60-72, 64, 528, 533).
Original election papers including affidavits of election judges, tellers, and tally sheets, 1839--, and poll books, 1839-1929, showing date and place of election, names of election judges and tellers, precinct number, oaths of affiants, number of votes cast for each candidate, total votes cast, and date of filing. Arr. by date of election. For index, see entry 40. Hdw. on pr. fm. 4 1/2 x 5 1/2 x 9 - 10 1/2 x 4 1/2 x 14. F.b. 21-36, 60-72, 1839-1912, co. clk.'s vlt., 1st fl.; f.b. 33, 64, 528, 533, 1913--, co. clk.'s off., 2nd fl.

88. (PETITIONS OF CANDIDATES), 1924--. 2 f.b. (63, 64).
Original petitions for place on primary ballot, showing

names of candidates or petitioners, party affiliation, date of petition and acknowledgment, and date of filing. Arr. by date of filing. For index, see entry 40. Hdw. on pr. fm. 10 1/2 x 5 x 14. Co. clk.'s off., 2nd fl.

89. POLL BOOKS AND RECORD OF BALLOTS, 1930--. 20 v. Original poll books of primary and general elections, showing precinct number, names of voters, party affiliations, date and place of election, and signatures of judges and clerks of election. Also contains Record of Ballots, 1930--, entry 90. Arr. by date of election. No index. Hdw. on pr. fm. 25 p. 14 x 8 x 1/2. Co. clk.'s off., 2nd fl.

90. RECORD OF BALLOTS, 1892-1929. 1 v. 1930-- in Poll Books and Record of Ballots, entry 89. Record of ballots issued to precincts by the county clerk, showing precinct number or name, date and number of ballots issued, to whom delivered, and number of unused ballots returned. Arr. by date of election. No index. Hdw. on pr. fm. 189 p. 16 x 10 1/2 x 1. Co. clk.'s off., 2nd fl.

Bonds of Officers

91. (BONDS OF COUNTY OFFICERS), 1839--. 7 f.b. (182-185, 33, 63, 64). Original bonds of county treasurer, probate clerk, recorder, and coroner, showing date, amount and terms of bond, names of principal, sureties, witnesses, and date of filing. Arr. by date of filing. Indexed alph. by name of principal. Hdw. on pr. fm. 10 1/2 x 4 1/2 x 14. F.b. 182-185, 1839-89, co. clk.'s vlt., 1st fl.; f.b. 33, 63, 64, 1890--, co. clk.'s off., 2nd fl.

92. ASSESSORS' BONDS, 1839--. 2 f.b. (185, 499). Original township assessors' bonds showing names of assessor, bondsmen, and township, amount of obligations of bond, signature of sureties, and date of filing. Arr. by date of filing. No index. Hdw. on pr. fm. 10 x 5 x 14. F.b. 185, 1839-89, co. clk.'s vlt., 1st fl.; f.b. 499, 1890--, co. clk.'s off., 2nd fl.

93. COLLECTORS' BOND, 1930--. 1 f.b. (64). Original town collectors' bonds showing names of principal and township, date, amount and obligation of bond, signatures of principal and bondsmen, and approval and acknowledgment. Arr. by date of bond. No index. Hdw. on pr. fm. 10 x 5 x 14. Co. clk.'s off., 2nd fl.

94. BOND RECORD (Justice of Peace and Constable), 1873--. 1 v. (A).
Record of bonds of justices and constables, showing names of principal, sureties, and witnesses, date, amount, and obligations of bond, and date of filing. Arr. by date of filing. Indexed alph. by name of principal. Hdw. 576 p. 18 x 12 1/2 x 3. Co. clk.'s off., 2nd fl.

95. BOND RECORD, 1877--. 1 v. (A). 1839-76 in County Commissioners' Record, entry 2.
Copies of bonds of county officials including recorder, coroner, state's attorney, county clerk, superintendent of schools, and commissioners, showing date, names of principal, sureties, and witnesses, amount and terms of bond, and date of filing. Arr. by date of filing. Indexed alph. by name of principal. Hdw. on pr. fm. 10 1/2 x 4 1/2 x 14. Co. clk,'s off., 2nd fl.

96. ROAD DISTRICT TREASURERS' BOND, 1889--. 2 v. (1, B).
Copies of road district treasurers' bonds, showing name of principal, sureties, and witnesses, date, amount and obligations of bond, and date of filing. Arr. by date of filing. Indexed alph. by name of principal. Hdw. on pr. fm. 318 p. 18 x 12 x 2. Co. clk.'s off., 2nd fl.

97. TOWNSHIP TREASURERS' BONDS, 1890--. 1 v. (1).
Copies of township treasurers' bonds, showing names of principal, sureties, and witnesses, date, amount, and obligations of bond, and date of filing. Arr. by date of filing. Indexed alph. by name of principal. Hdw. on pr. fm. 296 p. 18 x 13 x 2. Co. clk.'s off., 2nd fl.

Fees, Receipts and Expenditures

98. REGISTER OF FEES, 1931--. 1 v.
County clerk's register of fees earned and received in probate and county courts, showing date, source, purpose, and amount of fee. Arr. by date of entry. No index. Hdw. under pr. hdgs. 320 p. 17 x 15 x 2. Co. clk.'s off., 2nd fl.

99. RECEIPT AND EXPENDITURE OF COUNTY CLERK, 1877--. 6 v. (1-6).
Ledger of county clerk's receipts and expenditures, showing date, amount, and purpose of receipt or expenditure, names of payer and recipient, total amount of receipts and expenditures, and balance available. Arr. by date of receipt. No index. Hdw. under pr. hdgs. 200 p. 17 x 15 x

1 1/2. Co. clk.'s vlt., 1st fl.

100. CLERK'S ACCOUNT BIRTHS AND DEATHS, 1902--.
2 v. (1, 2).
County clerk's accounts with registrars of births and deaths, showing name of registrar, number of births and deaths reported, date, number, and amount of warrant. Arr. by date of report. Indexed alph. by name of registrar. Hdw. on pr. fm. 320 p. 16 1/2 x 12 1/2 x 2. Co. clk.'s off., 2nd fl.

(Next entry 101, p. 154)

III. RECORDER

In 1839, the year in which Menard County was organized, the recorder was elected for a four-year term.[1] A two-year term became effective in 1847.[2] The amount of his bond was set at $500.[3] With the adoption of the second constitution the office of recorder was abolished, the duties of that office being delegated, ex officio, to the circuit court clerk.[4] The present constitution reestablished the office of recorder in counties having a population of 60,000 or more but continued the provision of the prior constitution for other counties.[5] As the population of Menard has not reached the minimum fixed by the constitution,[6] the circuit court clerk in this county has remained, ex officio, recorder. The amount of the recorder's bond was set at $5,000 in 1872 and was to be approved by the county judge.[7] This amount was raised in 1874 to $10,000 for counties having the population of Menard. A copy of the bond is entered upon the records of the county court.[8] The compensation of the recorder is fixed by the county board within the limits set by the constitution. In counties the size of Menard, with a population of 10,663, the compensation of the recorder shall not exceed $1,500 a year.[9]

Assistants and deputies are appointed by the recorder in a number as determined by rule of the circuit court and as entered upon the court record.[10] The compensation of the assistants and deputies is set by the county board.[11] Written oaths of deputies are filed with the Secretary of State.[12]

1. L. 1835, p. 166. Between 1819 and 1835 the recorder was appointed by the Governor with the advice and consent of the Senate (L. 1819, p. 19; R.L. 1829, p. 117).
2. L. 1845, p. 28.
3. R.L. 1829, p. 117.
4. Const. 1848, Art. V, Sec. 19; L. 1849, p. 64.
5. Const. 1870, Art. X, Sec. 8; R.S. 1874, p. 833.
6. Census shows population of Menard County 10,663 in 1940. U.S. Bureau of the Census, Population of the State of Illinois, Series P-2, No. 47, Press Release.
7. L. 1871-72, p. 645.
8. R.S. 1874, p. 833.
9. Const. 1870, Art. X, Sec. 10.
10. Ibid.; R.S. 1874, p. 833.
11. Const. 1870, Art. X, Sec. 9.
12. R.S. 1874, p. 833.

Recorder

In accordance with the duty of the recorder to record at length all written instruments, the following records are required to be kept:

1. An entry book in which data relating to date and order of receipt of instruments to be recorded or filed, and the names of parties and location of property, with a brief description of the premises, are entered. Each of such instruments is numbered by the recorder with the corresponding number of the entry. The entry book serves as a table of contents, with descriptive memoranda, for all instruments recorded at length or filed in the recorder's office.
2. Well-bound books for recording at length any instrument in writing entitled to be recorded, in the order of time of its reception. Separate books are allowed to be kept for the recording of different classes of instruments and two distinct series of document numbers may be used in recording documents received for recordation. One series preceded by the letter "B" is for the recordation of bills of sales of personal property, chattel mortgages, releases, extensions, and assignments thereof. The other series of document numbers is for all other instruments received for recordation.
3. Grantor and grantee indexes. In the grantor index are listed the names of the grantors in alphabetical order and the names of the grantees. The grantee index shows the names of the grantees in alphabetical order and the names of the grantors. Each index also shows the date of the instrument, time of receipt, kind of instrument, consideration, book and page of recordation, or the number under which it is filed, and a brief description of the premises.
4. Indexes to each book of record in which are entered in alphabetical order, the names of each grantor and grantee and page on which the instrument is recorded. This series indexes instruments such as powers of attorney, chattel mortgages, and those recorded by corporations.
5. An index to recorded maps and plats, based on location of property, sometimes arranged by section, township, and range.
6. An abstract book, in effect indexing records by showing for each tract every conveyance or incumbrance recorded, its execution and filing date, and the book and page of its recordation. Series

optional with county board.

7. A separate book to record certificates of honorable discharge from military, aviation, and naval service.[13]

The recorder, in recording at length any instrument in writing, is permitted to make a handwritten or typewritten transcription, a photographic or photostatic reproduction, or to use a combination of these methods.[14] In addition to the instruments received for recordation, the recorder is required, upon receipt, to file any mortgage, trust deed, or conveyance of personal property having the effect of a mortgage or lien upon such property which is endorsed with the words, "This instrument to be filed, but not recorded". The recorder marks such instruments "filed" and enters upon each the time of their receipt and files them in his office.[15]

All of the recorder's records are kept in the circuit clerk's office on the second floor of the courthouse.

Entry Books

101. ENTRY BOOK, 1839--. 9 v. (1, 1839-48; A-H, 1865--). Title varies: File Book, 1, 1839-48. Missing: 1849-64.
Entry book of recorded instruments, showing type, number, and date of instrument, names of grantor and grantee, consideration, legal description of property, record book and page of entry, and date of filing. Arr. by date of filing. 1865-79, 1895--, no index; for sep. index, 1880-94, see entry 102. Hdw. under pr. hdgs. 321 p. 18 x 13 x 3.

102. GRANTOR'S INDEX, ENTRY BOOK, 1880-94. 1 v. (B). Index to Entry Book, 1880-94, entry 101, showing names of grantor and grantee, legal description of property, kind of instrument, record book and page of entry, and date of filing. Arr. alph. by name of grantor. Hdw. on pr. fm. 225 p. 18 x 13 1/2 x 3.

13. L. 1819, p. 18,20,21; R.L. 1829, p. 116,117; L. 1847, p. 69; L. 1853, p. 254; L. 1867, p. 148; L. 1869, p. 2; L. 1871-72, p. 645,646; L. 1873, p. 144; R.S. 1874, p. 834-46; L. 1917, p. 652; L. 1925, p. 521; L. 1933-34, Third Sp. Sess., p. 214.
14. Ibid.
15. L. 1927, p. 521; L. 1929, p. 592-94.

Instruments Recorded

General

103. GENERAL INDEX GRANTOR - GRANTEE, 1839--. 16 v. (1 not labeled, 1839-50, 1-7, 1851--, grantor; 1 not labeled, 1839-50, 1-7, 1851--, grantee).
Index to Miscellaneous Record, 1868--, entry 105; Deed Record, 1839--, entry 106; Deed Record (Transcript Records of Sangamon County), 1845-1900, entry 108; Chattel Mortgage Record, 1868-1900, entry 117; Extension of Chattel Mortgage, 1868-1900, entry 118, showing names of grantor, grantee or mortgagor, mortgagee, date and type of instrument, consideration, legal description of property, record book and page of entry, and date of filing. Arr. alph. by names of grantor and grantee. Hdw. under pr. hdgs. 600 p. 18 x 13 x 3.

104. UNCLAIMED DEEDS (Miscellaneous Instrument Files), 1836--. 84 f.b. (A-Z, 1836--; 3, 6, 1848-1900; 33 not labeled, 1847--; 23 A-Z with repetition, 1841--).
This file contains warranty, master's and quitclaim deeds, affidavits, mortgages, bonds, and other documents which were left for recording and still remain unclaimed. Arr. by date of filing. No index. Hdw. on pr. fm. 5 1/2 x 4 1/2 x 9.

105. MISCELLANEOUS RECORD, 1868--. 13 v. (A-M). 1839-67 in Deed Record, entry 106.
Recordation of all types of instruments that cannot be recorded on standard printed form, showing names of principals, type of instrument, legal description of property, consideration, and dates of filing and recording. Arr. by date of filing. For index, see entry 103. 1868-1910, hdw.; 1911--, typed. 580 p. 18 x 13 x 2 1/2.

Deeds (See also entries 104, 105)

106. DEED RECORD, 1839--. 78 v. (1-78).
Recordation of all types of deeds including warranty, quitclaim, trust, master's, sheriff's, tax, release, trustees', cemetery, right-of-way, partition, and administrators' deeds, and hand-drawn plats of lands conveyed, showing names of grantor and grantee, legal description of property, consideration, and dates of instrument, filing, and recording. Also contains Miscellaneous Record, 1839-67, entry 105; Mortgage Record, 1839-67, entry 110;

Master's Certificates of Sale and Redemption, 1839-70, entry 122. Arr. by date of recording. For index, see entry 103; for sep. index to plats, see entry 107. 1839-1908, hdw. and hdw. on pr. fm.; 1909--, hdw. and typed on pr. fm. and typed. 600 p. 18 1/2 x 13 x 3.

107. INDEX TO PLAT RECORDS, 1821--. 1 v.
Index to plats recorded in Deed Record, entry 106, and Deed Records (Transcript Records of Sangamon County), entry 108, showing name of plat, legal description of property, record book and page of entry. Arr. alph. by title of plat. Hdw. under pr. hdgs. 75 p. 14 x 10 x 1 1/2.

108. DEED RECORDS (Transcript Records of Sangamon County), 1821-1900. 3 v. (A-C).
Transcript copies of recorded instruments affecting Sangamon County lands now part of Menard County, showing names of grantor and grantee, date, number, and type of instrument, legal description of property, consideration, and date of recording and filing. Arr. by date of recording. For index, 1821-44, see entry 109; for index, 1845-1900, see entry 102. Hdw. 590 p. 17 x 13 x 3.

109. INDEX TO TRANSCRIBED RECORDS, 1821-44. 2 v. (1, grantor; 1, grantee).
Index to Deed Records (Transcript Records of Sangamon County), 1821-44, entry 108, showing names of grantor and grantee, date, type of instrument, consideration, legal description of property, record book and page of entry, and date of filing. Arr. alph. by names of grantor and grantee. Hdw. under pr. hdgs. 300 p. 17 x 13 x 2.

Mortgages - Real Estate (See also entries 104, 105)

110. MORTGAGE RECORD, 1868--. 66 v. (A-H, J-Y, 1-42). 1839-67 in Deed Record, entry 106.
Copies of mortgages, showing names of mortgagor and mortgagee, terms of mortgage, legal description of property, date of filing, and number of instrument. Arr. by date of filing. Indexed alph. by names of mortgagor and mortgagee; for sep. index, see entry 112. 1868-1910, hdw. on pr. fm.; 1911--, typed on pr. fm. 600 p. 18 x 13 x 3.

111. FEDERAL FARM MORTGAGE RECORD, 1922--. 1 v. (1).
Record of Federal farm mortgages, showing location of farm, amount borrowed from farm board, terms and date of mortgage and filing. Arr. by date of filing. Indexed

alph. by name of mortgagee; for sep. index, see entry 112. Typed on pr. fm. 400 p. 18 x 13 x 3.

112. GENERAL INDEX, MORTGAGOR - MORTGAGEE, 1868--. 6 v. (F, 1, 2, mortgagor; F, 1, 2, mortgagee).
Index to Mortgage Record, 1868--, entry 110, and Federal Farm Mortgage Record, 1922--, entry 111, showing names of mortgagor and mortgagee, number of instrument, consideration, book and page of entry, legal description of property, and dates of mortgage and filing. Arr. alph. by name of mortgagor and mortgagee. Hdw. under pr. hdgs. 600 p. 18 x 13 x 3.

113. RELEASE RECORD, 1879--. 4 v. (40, 55, 68, 75).
Copies of mortgage releases, showing date and number of instrument, names and addresses of releasor and releasee, consideration, legal description of property, dates of filing, recording, and acknowledgment. Arr. by date of filing. Indexed alph. by name of principal; for sep. index, 1905--, see entry 114. Hdw. and typed. 615 p. 18 x 13 x 3 1/2.

114. INDEX TO RELEASE DEED, 1905--. 2 v. (1, grantor; 1, grantee).
Index to Release Record, 1905--, entry 113, showing names of grantee and grantor, book and page of entry, and dates of release and filing. Arr. alph. by names of grantor and grantee. Hdw. on pr. fm. 450 p. 18 x 13 x 2 1/2.

115. LIEN RECORD, 1887--. 1 v. (1).
Copies of liens on real estate, showing names of owner and claimant, amount of lien, description of property, nature of lien, and date of filing. Arr. by date of filing. Indexed alph. by name of owner. Hdw. on pr. fm. 152 p. 16 x 12 x 2.

Mortgages - Chattel

116. CHATTEL MORTGAGE INDEX MORTGAGOR - MORTGAGEE, 1901--. 4 v. (2, 3, mortgagor; 2, 3, mortgagee).
Index to Chattel Mortgage Record, 1901--, entry 117, and Extension of Chattel Mortgage, 1901--, entry 118, showing names of mortgagor and mortgagee, record book and page of entry, consideration, and dates of instrument and filing. Arr. alph. by names of mortgagor and mortgagee. Hdw. under pr. hdgs. 600 p. 18 x 13 x 3.

117. CHATTEL MORTGAGE RECORD, 1868--. 24 v. (H, K, M, S, V, 1868-1924; 3, 5, 9, 11, 14, 16, 19, 20, 25-27, 31-34, 36, 37, 39, 40, 1895--).
Copies of chattel mortgages, showing names of mortgagor and mortgagee, description of property, consideration, dates of instrument and filing. Arr. by date of filing. Indexed alph. by names of mortgagor and mortgagee; for sep. index, 1868-1900, see entry 103; for sep. index, 1901--, see entry 116. 1868-1915, hdw.; 1916--, typed. 580 p. 18 x 13 x 3.

118. EXTENSION OF CHATTEL MORTGAGE, 1886--. 2 v. (1, 2).
Copies of chattel mortgage extensions, showing names of mortgagor and mortgagee, record book and page of entry, date of filing, and terms of mortgage extension. Arr. by date of filing. Indexed alph. by name of mortgagee; for sep. index, 1886-1900, see entry 103; for sep. index, 1901--, see entry 116. 1886-1921, hdw. on pr. fm.; 1922--, typed on pr. fm. 400 - 456 p. 17 x 13 x 3 - 15 x 12 x 3.

119. LIENS UPON CHATTELS, 1890--. 1 f.b. (1).
Original liens on chattels, showing names of owner and claimant, date and amount of lien, description of property, and nature of lien. Arr. by date of lien. 1890-1921, no index; for index, 1922--, see entry 120. Hdw. on pr. fm. 10 1/2 x 3 1/2 x 14.

120. INDEX TO LIENS ON CHATTELS, 1922--. 1 v.
Index to Liens Upon Chattels, entry 119, and record of liens on motor vehicles, showing names of owner and claimant, description of chattel, consideration, date, record book labeling, and page of entry. Arr. alph. by name of lienee. Hdw. on pr. fm. 149 p. 16 x 11 x 1 1/2.

Certificates of Levy

121. SHERIFF'S AND MASTER'S CERTIFICATES OF SALE, 1859--. 7 v. (A, A, B, 1, 3, 3, 4).
Copies of sheriff's and master's certificates of sale, showing certificate number, names of plaintiff, defendant, master or sheriff, purchaser, and county collector, date, amount, and place of sale, legal description of property, consideration, acknowledgment, and date of filing. Also contains Sheriff's Certificate of Levy, 1861--, entry 123. Arr. by date of filing. Indexed alph. by name of owner. Hdw. on pr. fm. 500 p. 18 1/2 x 13 1/2 x 3.

122. MASTER'S CERTIFICATES OF SALE AND REDEMPTION, 1871--. 3 v. (A-C). 1839-70 in Deed Record, entry 106.
Record of master's certificates of sale and redemption, showing name of witness to redemption and consideration, plaintiff, defendant, master, purchaser, and county collector, certificate number, date of filing, legal description of property, date, place, and amount of sale, and acknowledgment. Arr. by date of filing. Indexed alph. by name of mortgagee. Hdw. on pr. fm. 416 p. 18 x 13 x 3.

123. SHERIFF'S CERTIFICATE OF LEVY, 1842-60. 1 v. 1861-- in Sheriff's and Master's Certificates of Sale, entry 121.
Copies of sheriff's certificates of levy, showing names of plaintiff, defendant, sheriff, and court, legal description of property, amount and purpose of levy or attachment, and dates of court order and levy. Arr. by date of court order. Indexed alph. by names of plaintiff and defendant. Hdw. on pr. fm. 264 p. 13 x 8 1/2 x 1 1/2.

Bonds for Deeds

124. BOND FOR DEED RECORD, 1869--. 1 v. (1).
Copies of bonds to assure transfer of title, showing names of grantor, grantee, and sureties, date and terms of bond, legal description of property, and acknowledgment. Arr. by date of bond. Indexed alph. by name of principal. Hdw. on pr. fm. 580 p. 18 x 13 x 2 1/2.

Other Instruments

125. CERTIFICATION OF CHURCH TRUSTEES' ELECTIONS, 1874--. 1 v. (A).
Copies of church trustees' election certificates, showing date of election, names of candidates and elected trustees, and abstract of votes. Arr. by date of election. Indexed alph. by name of trustee. Hdw. on pr. fm. 288 p. 18 x 13 x 2.

126. (Liens on Gets) REGISTER STALLION RENEWAL CERTIFICATES, 1911--. 1 v. (1).
Copies of liens on gets and renewals of stallion certificates, showing names of owner, stallion, and claimant, statement of service, description and name of mare, amount of lien, and dates of renewal, filing, and acknowledgment. Arr. by date of renewal. Indexed alph. by name of owner. Hdw. on pr. fm. 280 p. 18 x 13 x 2.

127. STALLION CERTIFICATE RECORD, 1910-18. 2 v. (I, I).
Copies of stallion certificates, showing certificate number, date, names of owner and stallion, pedigree, condition of service, and expiration date of certificate. Arr. by date of certificate. Indexed alph. by name of owner. Hdw. on pr. fm. 300 p. 18 x 13 x 2.

128. SOLDIERS' DISCHARGE RECORD, 1919--. 1 v. (1).
Copies of honorable discharges of World War veterans, showing name, place of birth, age and occupation at date of enlistment, personal description, date and reason for discharge, name of commanding officer, and date of filing. Arr. by date of recording. Indexed alph. by name of soldier. Typed on pr. fm. 510 p. 19 x 12 1/2 x 2.

Fees, Receipts and Expenditures

129. RECEIPTS AND EXPENSES OF CIRCUIT CLERK, 1872--. 4 v. (1-4).
Record of receipts and disbursements of the circuit clerk, showing date, types of service, amounts of receipts and disbursements, amount of fee for recording instruments, and name of payer. Arr. by date of entry. No index. Hdw. under pr. hdgs. 300 p. 18 x 15 x 1 1/2.

(Next entry 130, p. 170)

IV. COUNTY COURT

The county court serves as the judicial branch of county government. This court is administered by the county judge who is elected for a four-year term by the county electorate. Before entering upon the duties of his office, the county judge is required to take and subscribe to an oath which he files with the Secretary of State.[1] The compensation of the Menard county judge was originally set at $2.50 per diem for holding court, which was paid quarterly out of the county treasury.[2] Today, the judge in this county receives $1,800 per annum.[3] The court hears and determines matters in which it has original or concurrent jurisdiction, including appeals from the justices of the peace and police magistrates.[4]

At the time of the organization of Menard County, the powers of the judiciary in all counties were administered only by the justices of the peace,[5] the probate justice of the peace,[6] and the circuit court.[7] Later, a civil and criminal court with jurisdiction coextensive with the county lines was established under the provisions of the Constitution of 1848 and legislation of 1849.[8] The court created was the county court. This unit of county government was established with a partial reversion to the dual function, administrative and judicial, of the local judiciary in Illinois under the Territorial Laws prior to 1818. The court was different from the territorial courts in that its composition varied for each of the two functions. The judicial court was administered by the county judge, who was elected by the county electorate and commissioned by the Governor. His original four-year tenure of office has remained effective to the present.[9] As the administrative body, the court was made up of the county judge and two justices of the peace.[10]

Under the second constitution complete separation of

1. R.S. 1874, p. 339.
2. L. 1849, p. 62,63.
3. L. 1928, First Sp. Sess., p. 30.
4. L. 1881, p. 70.
5. Const. 1818, Art. IV, Sec. 8; L. 1819, p. 192.
6. L. 1836-37, p. 176.
7. L. 1819, p. 380.
8. Const. 1848, Art. V, Sec. 1,16; L. 1849, p. 62.
9. Const. 1848, Art. V, Sec. 17; L. 1849, p. 62,66; R.S. 1874, p. 339; L. 1933, p. 451.
10. L. 1849, p. 65.

county business powers from the judicial could be had with the acceptance by the county electorate of an independent administrative body, the board of supervisors, established under township organization.[11] This plan of government was never adopted by Menard, the county continuing under the dual county court until 1873 when the board of county commissioners became successor to the county court in its jurisdiction over county affairs and business. From that date on, the county court has served only as a judicial court in Menard County.

The county court as established in 1849 was vested with the same civil and criminal jurisdiction as the justices of the peace. The county judge was made a conservator of the peace. He was given the same power and authority as the circuit judge in preserving order in the court and punishing contempts offered the court while in session.[12] Suits for the sale of delinquent lands for taxes of 1848, and prior years, could be brought and presented in either the circuit or county court, but for taxes of subsequent years, the county court was given exclusive original jurisdiction.[13] The court also exercised jurisdiction equal with that of the circuit court over naturalization.[14]

In addition to its civil and criminal jurisdiction, the court was vested with all the powers and jurisdiction in probate matters which were vested prior to this date in the court of the probate justice. The court was given concurrent jurisdiction with the circuit court in hearing and determining application for the sale of real estate of deceased persons and for the payment of debts of the estate.[15] In Menard County the county judge has served to the present day as judge, ex officio, of the probate court.[16]

The law jurisdiction of the county court in Menard County is concurrent with that of the circuit court in that class of cases wherein the justices of the peace have jurisdiction where the value of the amount in contro-

11. Const. 1848, Art. VII, Sec. 6; L. 1849, p. 192,202-4; L. 1851, p. 38, 50-52.
12. L. 1849, p. 65.
13. Ibid., p. 126.
14. 2 U.S. Stat. 155.
15. L. 1849, p. 65.
16. Const. 1848, Art. V, Sec. 16,18; L. 1849, p. 65; Const. 1870, Art. VI, Sec. 18; R.S. 1874, p. 339, 340; L. 1933, p. 449,458.

versy does not exceed $2,000,[17] in all cases of appeals from justices of the peace and police magistrates, and in all criminal offenses and misdemeanors where the punishment is not imprisonment in the penitentiary or death.[18] The county court also has original jurisdiction in matters relating to indigent mothers[19] and jurisdiction over insane persons not charged with crime.[20]

The county and circuit courts have original jurisdiction in cases of juvenile offenders. This jurisdiction is over matters dealing with dependent, neglected, and delinquent children. The authority includes provision for the treatment, control, maintenance, adoption, and guardianship of such children.[21]

In 1899, provision was made for the appointment by the court of a juvenile probation officer to serve without compensation from the public treasury and at the pleasure of the court.[22] In 1907 an amendment of this act authorized the court to allow compensation to such officers in a sum to be set by the county board, but the power of the court to appoint probation officers to serve without pay was in no way abridged by this legislation.[23] An amendment of 1925 provided that if more than one probation officer were appointed, one was to be designated as chief probation officer. To be eligible for the position of chief probation officer, the candidate was required to have had experience in social welfare work equivalent to one year spent in active practical welfare work. Minimum rates, based upon population, were established for the

17. Under the laws of 1872 and the revised statutes of 1874, the jurisdiction was in cases wherein the amount involved did not exceed $500 (L. 1871-72, p. 325; R.S. 1874, p. 339,340). Legislation enacted in 1933 extended the jurisdiction to $2,000 (L. 1933, p. 452), but a later amendment of the same session, passed June 21, 1933, placed the jurisdiction in cases where the amount involved is not over $1,000 (ibid., p. 449). In 1939, jurisdiction was again extended to $2,000 (L. 1939, p. 492).
18. R.S. 1874, p. 340; L. 1877, p. 77; L. 1895, p. 212, 223; L. 1933, p. 449-51.
19. L. 1913, p. 127; L. 1915, p. 243; L. 1921, p. 162-64; L. 1935, p. 256-59.
20. L. 1869, p. 366; R.S. 1874, p. 685.
21. L. 1899, p. 131-37; L. 1901, p. 141-44; L. 1905, p. 152-56; L. 1907, p. 70-78.
22. L. 1899, p. 133.
23. L. 1907, p. 69,70.

compensation of these officers, the county board to fix the amount. Where a county had only one probation officer, the salary rates were made to apply to that individual. The court, however, retains the power to appoint probation officers to serve without pay.[24] For Menard County, and others with a population not exceeding 25,000,[25] the rate is set at a sum of $50 a year for each thousand inhabitants, but not to exceed $900 annually.

The officer under consideration makes investigation on order of the court and takes charge of the child before and after trial. He is required to be present at the court hearings in order that he may represent the interest of the child. This officer also furnishes information and assistance as required by the court.[26]

Upon petition filed with the clerk of the court for the removal of a neglected or dependent child from the custody of the parents or guardian, process is issued for appearance. The summons may be served by the sheriff or the duly appointed probation officer.[27]

At any time after the filing of the petition and pending the final disposition, the court may allow the child to remain in the possession of its custodian, or in its home subject to the visitation of the probation officer; or the child may be ordered into the custody of the probation officer.[28] If upon hearing the case the court finds the child to be dependent or neglected, the court may commit the child to an association or institution, or allow the child to remain in his home subject to the visitation of the probation officer.[29] In a similar fashion the probation officer for adults, an appointee of the circuit court, assists the county court in the administration of justice among adult violators.[30]

In cases of delinquency, if the court finds any child to be delinquent, the court may commit the child to an institution or to the custody of the probation officer.

24. L. 1925, p. 187,189.
25. In 1940 the population of Menard County was listed as 10,663 (U.S. Bureau of the Census, Population of the State of Illinois, Series P-2, No. 47, Press Release).
26. L. 1899, p. 133; L. 1925, p. 187,188.
27. L. 1899, p. 132,133; L. 1905, p. 153,154; L. 1907, p. 72,73.
28. Ibid., p. 74.
29. L. 1923, p. 180,181.
30. L. 1911, p. 280-82.

The court may, upon its discretion, send juvenile offenders and vagrants to the state reform school rather than to the county jail.[31]

Another probation officer, an appointee of the county court, assists the court in mothers' pension cases. The state and county funds for indigent mothers and their children are administered by the county court, its appointed probation officers, the county board with the assistance of the county clerk, the county treasurer, and the State Department of Public Welfare. The county court, however, is given original jurisdiction in these matters.[32]

A mother whose husband is dead or incapacitated, or who, is abandoned by her husband, is entitled to the benefits of the mothers' pension fund when she is in need. Such mother may file an application with the county court for relief. The case of the applicant is then investigated by the probation officer under the direction of the court.[33] A report and recommendation of the approval or disapproval of such application is then made by this officer of the court. If the application is approved, the probation officer or other person may file with the clerk of the court a written petition verified by affidavit setting forth the facts giving the court jurisdiction and other facts upon which an order for relief is entered. Upon receipt of the petition, a summons is issued to the mother and the county board for appearance. The usual procedure is for the board to make a written appearance. Upon the hearing in court, the court may make an order upon the county board to pay monthly such money as may be necessary for the care of the mother and her child or children in accordance with the provisions of law.[34]

To carry out this procedure, the county court appoints the probation officer who serves during the pleasure of the court and is compensated for his services by the county in such amount as determined by the county board. As noted above, this officer is required to investigate all applications for relief and make a written report to the court. In addition to this duty, the probation officer makes quarterly visits and supervises, under

31. L. 1907, p. 75.
32. L. 1913, p. 127-30; L. 1915, p. 243-45; L. 1921, p. 162-64; L. 1935, p. 256-59.
33. L. 1913, p. 127-30; L. 1915, p. 244; L. 1935, p. 256-59.
34. L. 1913, p. 127-30; L. 1935, p. 257-59.

the direction of the court, the families to which such assistance has been granted.[35]

The county board annually levies a tax on all taxable property to provide for the mothers' pension fund. The levy is made not in excess of two fifths of one mill on a dollar in Menard County.[36] In addition, the General Assembly, from time to time, makes appropriation to the State Department of Public Welfare; the funds, in turn, being distributed to the several counties to supplement the pension fund. To become entitled to the state appropriations, the county must meet the standards of administration set by the state agency. The county treasurer certifies to the state department an itemized statement, attested by the county clerk, of the money paid out during each quarter in accordance with the legislative provisions for this pension and also certifies annually the total assessed valuation and amount of money raised by tax levy for the mothers' pension fund.[37]

Jurisdiction in the election procedure is vested variously in the county board, the county court, and the county clerk. In the event that any city, village, or incorporated town adopts the City Election Act the county judge appoints a board of three election commissioners to have charge of elections in that political unit. Only one such board, however, is appointed in each county. This board has jurisdiction over elections in all cities, villages, or incorporated towns which may adopt the act.[38] Otherwise, jurisdiction is vested in the county board, county court, and county clerk. The county court has original jurisdiction in election contests for certain county, district, and township offices.[39]

Aiding in the settlement of questions arising in the course of the election procedure is the county officers

35. L. 1913, p. 129,130; L. 1935, p. 258.
36. L. 1919, p. 780,781; L. 1927, p. 196,197; L. 1928, First Sp. Sess., p. 3,4; L. 1933, p. 194,195.
37. L. 1935, p. 259.
38. L. 1885, p. 147-49; L. 1899, p. 163-65; L. 1917, p. 445,446; L. 1929, p. 399; L. 1933, p. 534; L. 1935-36, Fourth Sp. Sess., p. 35.
39. L. 1871-72, p. 396. This law applies to county courts in both township and commissioner counties, but since Menard County is of the latter type and does not have townships the portion of the law relating to election contests for township offices is ineffective in this county today.

electoral board. This body consists of the county judge as chairman, the county clerk, and the state's attorney.[40]

The several nomination papers for county offices are filed with the county clerk and are considered valid unless objections are made within five days after the last day for filing such papers. Objection to nominations are made to the county officers electoral board for any office of the county, park district, or other division coterminous with or less than the county and other than a city, village, incorporated town, or township.[41] The objector's petition is filed with the county clerk who presents the same, together with the nomination papers or certificate, before the electoral board.[42] The petition contains the objector's name and residence, the nature of the objection, the interest of the objector, and the relief sought of the board.[43] A notice of the hearing is sent to the candidate. Upon hearing the objections, the board renders a final decision by majority vote. In the event the candidate whose nomination is protested is a member of the electoral board, the circuit judge is required to fill his place.[44]

Jurisdiction is vested in the county court to hear and determine all questions relative to taxes on gifts, legacies and inheritance.[45] The act granting this jurisdiction is generally known as the "Inheritance Tax Law". Originally, the state's attorney was charged with the duty of enforcing the provisions of this law,[46] however, since 1913 these duties have been performed by the Attorney General.[47] Under that law the county judge and the county clerk are required every three months to make a statement in writing to the county treasurer of the property from which or the party from whom he has reason to believe a tax under this act is due and unpaid.[48] The county treasurer is required to collect and pay to the State Treasurer all taxes that may be due and payable under it.[49]

Under an act of 1933, housing corporations may be

40. L. 1891, p. 110,111; L. 1933, p. 552.
41. L. 1891, p. 110,111; L. 1929, p. 394.
42. L. 1891, p. 111; L. 1929, p. 394; L. 1933, p. 552.
43. L. 1929, p. 394,395.
44. L. 1933, p. 552.
45. L. 1895, p. 306; L. 1909, p. 318.
46. L. 1895, p. 306; L. 1909, p. 319.
47. L. 1913, p. 515,516; L. 1935, p. 1179,1180.
48. L. 1895, p. 306; L. 1909, p. 319; L. 1913, p. 516.
49. L. 1895, p. 307; L. 1909, p. 319; L. 1913, p. 516.

organized in Illinois for the express purpose of improving housing conditions.[50] Such corporations are subject to the supervision and control of the State Housing Board. This state agency has authority, after investigations and public hearings, to approve the acquisition of property and construction of housing projects. If the State Housing Board approves a project over the objections of ten percent of the property owners within a mile, but not included in the project, it must then file an application with the clerk of the county court to be submitted to the county judge for the confirmation of its approval. Such application is to contain copies of the findings and order of the board, transcript of testimony, description of the project and public spaces, statement of location and reasons for approval by the board. The objectors to the project may file objections in the county court to the confirmation of such a project. The county judge then examines the applications, objections, and any additional evidence before rendering a decision of "approved" or "not approved" on the application.[51]

Appeals from the judgments and decisions of the county court may be taken to the circuit court.[52] To the Appellate Court or Supreme Court may be taken and prosecuted appeals and writs of error in proceedings for the sale of lands for taxes and special assessments in all common law and attachment cases, and in cases of forcible detainer and forcible entry and detainer. Such appeals and writs of error, are, when not otherwise provided, taken and prosecuted in the same manner as appeals and writs of error from the circuit court.[53]

The records of the county court are kept by its clerk. In Menard County the county clerk is, ex officio, clerk of the county court. In addition to the statutory records described below, the clerk necessarily maintains others in effecting the court's orders.[54]

For the court the clerk keeps the following records:

50. L. 1933, p. 396-415; L. 1933-34, Third Sp. Sess., p. 167-74.
51. L. 1933, p. 396-415; L. 1933-34, Third Sp. Sess., p. 167-74.
52. L. 1933, p. 396.
53. R.S. 1874, p. 339; L. 1877, p. 77; L. 1881, p. 66.
54. The form which such records take is generally determined by court order (L. 1849, p. 66; R.S. 1874, p. 262,263).

1. Books of record of the proceedings and judgments of the court with alphabetical indexes by names of parties. Proceedings are recorded at length only in cases designated by law or when the court, at the motion and assumption of expenses by one of the parties, so orders. In practice, the court record has been broken down from an early date into segregated types of proceedings and judgments.
2. "Plaintiff-Defendant Index to Court Records" and "Defendant-Plaintiff Index to Court Records", intended to be separate records, but frequently combined in a single volume with the two indexes segregated in each volume.
3. A general docket in which all suits are entered in the order they are commenced.
4. A judgment and execution docket containing a column for the entry of satisfaction or other disposition. In practice, an execution docket is frequently set up independently.
5. Additional dockets, designated as the clerk's, judge's, and bar docket. In practice, the bar docket has tended to drop out of use.[55]
6. A fee book in which costs and fees are to be entered under the proper title of the cause. In practice, separate series of volumes are maintained under these titles of causes.
7. Transcripts of proceedings in appeals from justices' courts, dockets thereof, and transcripts of judgment of liens, etc., from justices' courts.
8. Naturalization records including petitions, proceedings, final certificates, etc. The county courts in Illinois prior to 1906 met the requirement of Federal statutes to exercise naturalization jurisdiction.[56]
9. Original documents used in court hearings and determinations; of particular importance in the large number of cases where complete proceedings are not spread on court record.[57]

55. The Civil Practice Act of 1933 grants authority to county courts, subject to rules promulgated by the Supreme Court and not inconsistent with statutory requirements, to make such rules as they may deem expedient, regulating dockets and calendars of said court (L. 1933, p. 786).
56. 2 U.S. Stat. 153; U.S.R.S. 1789-1874, p. 378.
57. R.S. 1845, p. 323,324,414,418,419; L. 1865, p. 79,80; L. 1871-72, p. 325; R.S. 1874, p. 262,263; 2 U.S. Stat. 153-55; U.S.R.S. 1789-1874, p. 378-80; 34 U.S. Stat. 596-607; 44 U.S. Stat. 709,710.

10. Monthly reports of the warden of the county jail containing a list of all prisoners in his custody and showing the cause of commitment and names of persons by whom committed.[58]

Proceedings of Court

130. COUNTY COURT FILES, 1872--. 43 f.b. (17, 32, 57, 58, 63, 75, 79, 81-86, 90, 208, 249-252, 285, 288, 320-324, 356, 358-360, 367, 376-378, 391, 437, 479, 511, 519, 542-544, 551).
Original documents filed in common law and criminal cases including writs, subpoenas and warrants; appeal, recognizance and bail bonds; testimonies, summonses, indictments, information, witness affidavits, depositions, commitments, stipulations, replications, appeals, jury verdicts, and court decrees. Arr. by case no. For index, see entry 40. Hdw. on pr. fm. 14 x 5 x 10 1/2. F.b. 90, 208, 249-252, 285, 288, 320-324, 356, 358-360, 367, 376-378, 391, co. clk.'s vlt., 1st fl.; f.b. 17, 32, 57, 58, 63, 75, 79, 81-86, 437, 479, 511, 519, 542-544, 551, co. clk.'s off., 2nd fl.

131. (STATE-AID ROAD RECORDS), 1917--. 3 f.b. (549, 552, 553).
Petitions for state-aid roads, showing date and purpose of petition, names of petitioners, bond issue to create state-aid road and improve existing roads, legal description of road, and date of filing. Arr. by date of filing. No index. Hdw. and hdw. on pr. fm. 10 1/2 x 4 1/2 x 14. Co. clk.'s off., 2nd fl.

132. (PAVING IMPROVEMENTS), 1925--. 2 f.b. (90, 91).
Petitions for improvements, showing date and purpose of petition, location and description of improvement, names of petitioners, and amount of expenditures necessary for improvement. Arr. by date of petition. No index. Hdw. on pr. fm. 10 1/2 x 4 1/2 x 14. Co. clk.'s off., 2nd fl.

133. COUNTY COURT RECORD, 1872--. 3 v. (1-3).
Record of civil and criminal cases including probation cases, showing names of plaintiff, defendant, judge, attorneys, sheriff, and clerk, date and type of case, court orders and proceedings. Also contains Insane Record, 1872-92, entry 135, and Record of Voluntary Assignments, 1872-78, 1904--, entry 137. Arr. by date of hearing. Indexed alph. by names of plaintiff and defendant.

58. R.S. 1874, p. 617; L. 1933, p. 678.

Hdw. 584 p. 18 x 13 x 3. Co. clk.'s off., 2nd fl.

134. (INSANITY RECORDS), 1871--. 5 f.b. (17, 507, 508, 519, 551).
Original documents filed in insanity cases including: petitions, affidavits, complaints, reports of commission and examining physician, verdicts, summonses, and transcripts of evidence. Arr. by date of filing. No index. Hdw. on pr. fm. 10 x 4 1/2 x 14. Co. clk.'s off., 2nd fl.

135. INSANE RECORD, 1893--. 2 v. (1, 2). 1872-92 in County Court Record, entry 133.
Proceedings in insanity cases, showing date of court term, names of petitioner, alleged insane, judge, witnesses, clerk, physician, and members of examining commission, physicians' reports, and orders of court. Arr. by date of court term. Indexed alph. by name of alleged insane. Hdw. on pr. fm. 250 p. 18 x 13 x 2. Co. clk.'s off., 2nd fl.

136. VOLUNTARY ASSIGNMENTS, 1852--. 2 f.b. (17, 457).
Original documents in voluntary assignment cases including: petitions, hearings, and statement of patient, showing names of patient, judge, and institution to which committed, and date of commitment. Arr. by date of filing. No index. Hdw. on pr. fm. 10 1/2 x 5 x 14. Co. clk.'s off., 2nd fl.

137. RECORD OF VOLUNTARY ASSIGNMENTS, 1879-1903. 1 v. 1872-78, 1904-- in County Court Record, entry 133.
Record of voluntary assignments, showing names of judge, patient, and physician, personal and family history, statistics, court hearing, orders, and date and place of commitment. Arr. by date of filing. Indexed alph. by name of patient. Hdw. 288 p. 18 x 13 x 1 1/2. Co. clk.'s off., 2nd fl.

138. DRAINAGE RECORD, 1892--. 3 v. (A-C).
Record of proceedings of drainage district commissioners, showing date and place of meetings, and names of commissioners, petitions to organize drainage district, election of officers, tax levies, oaths, bonds, and reports of commissioners and treasurers, lists of special assessments, plats, and payments of benefits. Arr. by date of meeting. Indexed alph. by name of drainage district. Hdw. 295 p. 17 x 15 x 2. Co. clk.'s off., 2nd fl.

139. SWAMP LAND, 1850-70. 1 v.
Record of swamp land sales, showing legal description and value of property, name of purchaser, and date and amount of sale. All swamp lands were sold by March 30, 1870. Arr. by twp., sec., and range nos. No index. Hdw. on pr. fm. 240 p. 16 x 11 x 1 1/2. Co. clk.'s off., 2nd fl.

Dockets

Court

140. JUDGE'S DOCKET, 1872--. 2 v. (1 not labeled, 2).
Judge's docket of common law and criminal cases in county court, showing names of plaintiff, defendant, attorneys, and judge, case number, abstract of proceedings, and court orders. Arr. by date of filing. No index. Hdw. under pr. hdgs. 319 p. 18 x 13 1/2 x 3. Co. clk.'s off., 2nd fl.

141. INSANITY DOCKET, 1871-- . 3 v. (A-C).
Docket of insanity cases, showing case number, date of court term, names of alleged insane, attorneys, witnesses, commission, and judge, abstract of proceedings, and court orders. Arr. by date of court term. Indexed alph. by name of alleged insane. Hdw. on pr. fm. 250 p. 18 x 13 x 2. Co. clk.'s off., 2nd fl.

142. DOCKET OF FINES, 1872-1912. 2 v.
Docket of fines, showing docket number, name of defendant, nature of crime, date and amount of fine imposed, sheriff's return, amount of court costs, and date and amount of payment. Arr. by date of filing. Indexed alph. by name of defendant. Hdw. under pr. hdgs. 410 p. 18 x 13 x 2. Co. clk.'s vlt., 1st fl.

Justice

143. JUSTICE OF PEACE DOCKETS, 1861--. 16 v.
Docket and record of common law and criminal cases in justice of the peace courts, showing names of plaintiff, defendant, and justice, nature of action, date of hearing, and abstract of proceedings. Arr. by date of trial. Indexed alph. by names of plaintiff and defendant. Hdw. on pr. fm. 500 p. 14 x 10 x 3. 9 v., 1861-1931, co. clk.'s vlt., 1st fl.; 7 v., 1932--, co. clk.'s off., 2nd fl.

Fee Books

(See also entry 98)

144. CRIMINAL AND COMMON LAW FEE BOOK, 1872--. 2 v. (D, E).
Record of fees in common law and criminal cases, showing names of plaintiff and defendant, date, amount, and purpose of fee, receipts and disbursements, and case number. Also contains Fee Book Law and Criminal Insane and Miscellaneous, 1872-90, entry 145. Arr. by date of filing. Indexed alph. by names of plaintiff and defendant. Hdw. on pr. fm. 420 p. 18 x 13 x 3. Co. clk.'s off., 2nd fl.

145. FEE BOOK LAW AND CRIMINAL INSANE AND MISCELLANEOUS, 1891--. 3 v. (E, K, M). Title varies: Insane and Conservators' Fee Book, E, 1891-1911. 1872-90 in Criminal and Common Law Fee Book, entry 144.
Record of fees in law, criminal, insane and miscellaneous cases including cases of delinquent and dependent children, showing names of plaintiff and defendant, date, amount, and purpose of fee, itemized list of costs, and date and amount of payment. Arr. by date of filing. Indexed alph. by names of plaintiff and defendant. Hdw. on pr. fm. 550 p. 18 x 13 x 3. Co. clk.'s off., 2nd fl.

Reports to Court

146. (JUSTICE REPORTS), 1890--. 2 f.b. (221, 480).
Justice of the peace reports of fines collected, showing names of plaintiff, defendant, and justice of the peace, date of court term, amounts of fine and collection, oath of justice, and date of filing. Arr. by date of filing. No index. Hdw. on pr. fm. 10 1/2 x 4 1/2 x 14. F.b. 221, 1890-1917, co. clk.'s vlt., 1st fl.; f.b. 488, 1918--, co. clk.'s off., 2nd fl.

Mothers' Pension

(See also entry 20)

147. MOTHERS' PENSION, 1915--. 1 v.
Record of mothers' pensions, showing dates of application and hearing, case number, name of mother, number of dependent children, amount allowed, and court orders. Arr. by date of hearing. Indexed alph. by name of principal. Hdw. on pr. fm. 250 p. 16 x 11 x 2. Co. clk.'s off., 2nd fl.

Inheritance Tax

148. INHERITANCE TAX DOCKET, 1893--. 2 v. (A, B). Docket of inheritance tax cases, showing names of estate, attorneys, and beneficiaries related to deceased, date of death, amount of estate, appraised and taxable value, and description of property, and amount of tax fixed by court. Arr. by date of filing. Indexed alph. by name of estate. Hdw. on pr. fm. 444 p. 18 x 12 x 2. Co. clk.'s off., 2nd fl.

Naturalization

(See also entries 209-211)

149. NATURALIZATION PAPERS, 1863-1906. 4 f.b. (389, 390, 394, 496). County court files of naturalization papers including declarations of intention, petitions for final papers, affidavits of witnesses, and oaths of allegiance. Arr. by date of filing. No index. Hdw. on pr. fm. 5 1/2 x 4 1/2 x 9 - 10 x 5 x 14. F.b. 389, 390, 394, 1863-96, co. clk.'s vlt., 1st fl.; f.b. 496, 1897-1906, co. clk.'s off., 2nd fl.

150. NATURALIZATION RECORD, 1861-1906. 1 v. Record of petitions for naturalization of soldiers and adults, showing name, age, nativity, and address of petitioner, affidavits of witnesses, dates of declaration and petition, oath of allegiance, and court orders granting citizenship. Arr. by petition no. Indexed alph. by name of alien. Hdw. on pr. fm. 572 p. 18 x 13 x 3. Co. clk.'s off., 2nd fl.

151. NATURALIZATION RECORD INTENTION, 1861-1906. 1 v. Record of declarations of intention, showing name, address, nativity, and age of alien, date and place of entry into the United States, oath to renounce allegiance to any foreign power, date of filing, and signature of county clerk. Arr. by date of filing. Indexed alph. by name of alien. Hdw. on pr. fm. 580 p. 18 x 13 x 3. Co. clk.'s off., 2nd fl.

152. NATURALIZATION RECORD MINORS, 1860-1906. 2 v. (A, 1 not labeled). Naturalization record of minors, showing name, age, nativity, and address of minor, dates of declaration and petition, oath of allegiance, and court orders granting citizenship. Arr. by date of declaration. Indexed alph. by name of minor. Hdw. on pr. fm. 572 p. 18 x 13 x 3. Co. clk.'s off., 2nd fl.

(Next entry 153, p. 178)

V. PROBATE COURT

Jurisdiction in probate matters in Menard County was vested in a separate probate court from the organization of the county, in 1839, until 1849. From 1839 to 1849 probate court in Menard County was held by a probate justice of the peace who was elected by the county electorate for a four-year term;[1] the term was reduced in 1847 to two years.[2] The jurisdiction of the probate court was transferred to the newly created county court in 1849.[3] The Menard county court has retained probate jurisdiction from that date to the present.[4]

As enunciated by the present constitution and subsequent legislation, the jurisdiction of the court extends to all probate matters, the settlement of estates of deceased persons, the appointment of guardians and conservators and settlement of their accounts, and in all matters relating to apprentices, and in cases of sales of real estate of deceased persons for payment of debts.[5] Appeals may be taken from the final orders, judgments, decrees of the probate court to the circuit court of the county except in proceedings in applications of executors, administrators, guardians, and conservators for the sale of real estate. The appellant must give bond and security in such amount and upon such condition as the court shall require.

Aiding the court in its jurisdiction over the administration of intestate estates and the guardianship of minors, are the public administrator and the public guardian. Each officer is appointed quadrennially by the Governor with the advice and consent of the Senate. The public administrator and public guardian are required to enter into bonds set and approved by the court in sums not less than $5,000.[6] Their duties are performed under the direction and orders of the court. The records that result from their prescribed duties appear among the records of the court with those of other administrators,

1. L. 1836-37, p. 176. From 1821 to 1837 probate court was held by a probate judge (L. 1821, p. 119,120).
2. L. 1845, p. 28.
3. Const. 1848, Art. V, Sec. 16,18; L. 1849, p. 65.
4. Ibid.; Const. 1870, Art. VI, Sec. 16; R.S. 1874, p. 339,340; L. 1933, p. 449,458.
5. Const. 1870, Art. VI, Sec. 20; L. 1877, p. 80.
6. L. 1825, p. 70-72; R.L. 1829, p. 208; R.L. 1833, p. 627,628; R.S. 1845, p. 548; L. 1871-72, p. 89; L. 1881, p. 3; L. 1889, p. 165.

executors, and guardians.

When there is no relative or creditor who will administer an intestate estate, the court commits the administration to the public administrator upon application of any person interested in the estate.[7] If a widow, next of kin, or creditor of the deceased appears within six months after the administration is granted to the public administrator, the court then revokes its grant of administration to the public administrator and orders letters of administration granted to such person interested in the estate. If, after all debts and charges against the estate which have been presented within two years after the administration of the estate was committed to such public administrator are fully paid, any balance of intestate estate remains, the administrator causes a notice to be published requiring persons still having claims against the estate to present them to the county court within six months. If no claims are presented, the balance is paid into the county treasury upon the expiration of the six-month period, the county remaining answerable to any future claims.[8]

As already noted, the court has authority to appoint guardians of minor heirs of deceased persons. In cases where the minor is under fourteen years of age the court appoints his guardian. When the minor is over fourteen he may nominate his own guardian, subject to the approval of the court.[9] Under the direction of the court, the guardian is responsible for the custody, nurture, and tuition of his ward and the care and management of his estate. The court may assign the guardianship of the estate to one guardian and the custody, nurture, and tuition of the ward to another.[10] Within sixty days after his appointment, the guardian returns to the court a complete inventory of the real and personal estate of the ward in the form prescribed by law.[11] At the end of the first year of his appointment, and every three years thereafter, he makes a settlement of his accounts. When his trust is completed or upon the death of the ward, the guardian makes final settlement and delivers over to persons enti-

7. R.L. 1833, p. 628; R.S. 1845, p. 548; L. 1871-72, p. 89.
8. R.S. 1845, p. 549; L. 1871-72, p. 89,90.
9. L. 1831, p. 100; L. 1835, p. 36; R.S. 1845, p. 265, 266; L. 1873-74, p. 107; L. 1919, p. 583; L. 1931, p. 618; L. 1937, p. 660.
10. L. 1871-72, p. 469; L. 1877, p. 114.
11. L. 1919, p. 582; L. 1933, p. 644.

tled to them the property and papers in his hands as guardian.[12] Upon failure of a guardian appointed by the court to act with three months in this capacity, the court commits the guardianship of the minor to the public guardian.[13] The latter's records appear with those of other guardians.

The probate justice of the peace, 1839 to 1849, performed the ministerial function of the probate clerk.[14] From the establishment of the county court in 1849 until the present, the county clerk has served, ex officio, as probate clerk.[15]

The clerk is required to attend the sessions of court, issue all process, preserve all files and papers, make, keep, and preserve complete records of all the proceedings and determinations of the court, and perform all other duties pertaining to his office as required by law or the rules and orders of his court. He is required to enter of record all judgments, decrees, and orders of the court.[16]

The major records of the probate court kept by the clerk are the following:

1. Journal of all judicial proceedings and determinations of the judge.
2. A judgment docket with a direct and an indirect index: former, by name of claimant against estate; latter, by estate. In practice, the requirement of two indexes often leads to two dockets.
3. Books for recordation of bonds and letters of administrators, executors, guardians, and conservators; appraisement and sale bills; widows' relinquishment and selection of property; wills and the probate thereof; annual and final reports to administrators, executors, guardians, and conservators. Generally, each category of these probate business matters is recorded separately, but the segregation is not always carefully maintained.

12. L. 1871-72, p. 471; L. 1919, p. 585; L. 1929, p. 506.
13. L. 1889, p. 165.
14. L. 1837, p. 177,178. The early probate judge was required to act as his own clerk (L. 1821, p. 119, 120).
15. Const. 1848, Art. V, Sec. 16,18; L. 1849, p. 63-65; R.S. 1874, p. 260,339,340.
16. L. 1877, p. 82.

4. Separate dockets of unsettled estates and claims against estates, and a ledger of the accounts of executors, administrators, and guardians. Note that the dockets of probate business matters are separated from dockets of court proceedings just as are the books of recordation of the two categories; the intention of the law to make this distinction is further shown in its granting the clerk, during vacation of the court, power to receive petitions, accept bonds, grant letters testamentary, etc.
5. Files of original documents not subject to recordation; indexes to such; records of office transactions in pursuance of the court's orders to the clerk, necessary in the latter's settlement with that body.[17]

Proceedings of Court

General Proceedings

153. PROBATE FILES, 1839--. 157 f.b. (1-555 not consecutive).
Original documents filed in settlement of estates including petitions, oaths, bonds, letters of administrative officer, proof of will, accounts current, proof of heirship, reports on condition of estate, final reports, inventories, appraisements, sale bills, widows' selections, claims against estates, and proof of death. Arr. by date of filing. For index, see entry 154. Hdw. and hdw. and typed on pr. fm. 14 x 5 x 10 1/2. 17 f.b., 1839-90, co. clk.'s vlt., 1st fl.; 140 f.b., 1891--, co. clk.'s off., 2nd fl.

154. INDEX TO PROBATE FILES, 1839--. 1 v.
Index to Probate Files, entry 153, showing name of estate, file box labeling, and date of filing. Arr. alph. by name of estate. Hdw. 489 p. 14 x 10 x 2. Co. clk.'s vlt., 1st fl.

155. (UNSETTLED CLAIMS), 1907--. 1 f.b. (95).
Claims filed against estates in probate, showing names of estate and claimant, date, amount, and nature of claim, date of filing, and certification of claim. Arr. by date

17. L. 1821, p. 119,120; R.L. 1829, p. 215,231; L. 1837, p. 429; R.S. 1845, p. 427,428; L. 1851, p. 193; L. 1859, p. 92-94; R.S. 1874, p. 260-65; L. 1877, p. 83; L. 1933, p. 293.

of filing. No index. Hdw. on pr. fm. 10 x 4 x 14. Co. clk.'s off., 2nd fl.

156. PROBATE RECORDS, 1839--. 19 v. (1-19). Record of proceedings in probate court, showing petitions, bonds, oaths and letters of administrators, administrators de bonis non with will annexed, executors, guardians and conservators, orders finding heirship, and other orders and decrees of the court. Also contains Probate Fee Book, 1839-69, entry 179. Arr. by date of filing. Indexed alph. by name of estate. Hdw. on pr. fm. 617 p. 18 x 13 1/2 x 3. Co. clk.'s off., 2nd fl.

Wills, Bonds, Letters (See also entries 153, 156)

157. RECORD OF WILLS, 1857-84. 1 v. (A). 1885-- in Executors' and Will Record, entry 158. Record of wills, showing names of deceased, heirs, administrative officer, witnesses, judge, and county clerk, date of death, hearing and proof of will by witnesses, amount of legacies, terms of will, and date of recordation. Arr. by date of recordation. Indexed alph. by name of deceased. Hdw. 640 p. 18 1/2 x 12 1/2 x 3. Co. clk.'s off., 2nd fl.

158. EXECUTORS' AND WILL RECORD, 1868--. 10 v. (A-J). Record of executors' bonds, letters, oaths and petitions, showing names of estate, judge, executor, and sureties, dates of bonds, letters, oath, petitions and appointments, amount and obligation of bond, acknowledgment, and date of recording. Also contains Record of Wills, 1885--, entry 157. Arr. by date of recording. Indexed alph. by name of estate. Hdw. and typed on pr. fm. 300 p. 18 x 13 x 3 1/2. Co. clk.'s off., 2nd fl.

159. ADMINISTRATORS' RECORD, 1849--. 6 v. (A, 1849-60; A-E, 1868--). Title varies: Record of Letters and Wills, v. A, 1849-60. Record of administrators' bonds, letters, oaths, and petitions, showing names of estate, judge, administrator, sureties, and heirs, dates of bonds, letters, oath, petition, and appointments, amount and obligations of bond, oath of office, and acknowledgment. Arr. by date of filing. Indexed alph. by name of estate. Hdw. on pr. fm. 300 p. 18 x 13 x 2 1/2. Co. clk.'s off., 2nd fl.

160. GUARDIANS' RECORD, 1860--. 5 v. (A, A-D). Title varies: Guardians' Bonds and Letters, v. A, 1860-67.
Record of guardians' bonds, letters, oaths, and petitions, showing names of estate, petitioner, guardian, sureties, and clerk, amount and obligations of bond, dates of bond, letters, petition, and appointment, and court orders granting letters. Arr. by date of filing. Indexed alph. by name of estate. Hdw. on pr. fm. 568 p. 18 x 13 x 2 1/2. Co. clk.'s off., 2nd fl.

161. CONSERVATORS' RECORD, 1871--. 2 v. (A, B).
Record of conservators' bonds, letters, oaths, petitions, showing names of conservator, judge, sheriff, ward, principal, sureties, record of examination, date of appointment of conservator, amount and obligation of bond, and date of filing. Arr. by date of filing. Indexed alph. by name of conservator. Hdw. on pr. fm. 275 p. 18 x 13 1/2 x 3. Co. clk.'s off., 2nd fl.

162. MISCELLANEOUS PROBATE RECORDS, 1879--. 6 v. (A-F).
Record of miscellaneous bonds and letters including administrators' record de bonis non and administrators' record with will annexed, showing names of estate, judge, clerk, widow, heirs, administrative officer and sureties, dates of petition, oath, bond and letters, amount and obligation of bond, and dates of filing and recording. Arr. by date of recording. Indexed alph. by name of estate. Hdw. on pr. fm. 600 p. 18 x 13 x 3. Co. clk.'s off., 2nd fl.

Inventories and Appraisements (See also entry 153)

163. INVENTORY RECORD, 1874--. 6 v. (B-G). 1866-73 in Inventory, Appraisement and Sale Record, entry 164.
Administrators', executors' and conservators' inventory record showing date and names of estate, judge, and administrative officer, list and value of personal property, legal description and value of real estate, status of notes and accounts, and oath and signature of administrative officer. Arr. by date of filing. Indexed alph. by name of estate. Hdw. and typed on pr. fm. 300 p. 18 x 13 1/2 x 3. Co. clk.'s off., 2nd fl.

164. INVENTORY, APPRAISEMENT AND SALE RECORD, 1866-73. 2 v. (A, A).
Record of inventories, appraisements and sales of real es-

tate in settlement of estates, showing names of estates and administrative officer, list and value of chattel property, legal description and value of real estate, value of notes and accounts receivable and payable, to whom and by whom owed, dates of appraisal and sale, warrant to appraiser, appraiser's oath, estimate and value of property and articles sold, amount of sale, acknowledgment, and date of filing. Also contains Inventory Record, 1866-73, entry 163; Guardians' Inventory Record, 1866-71, entry 166; Appraisement Records, 1866-72, entry 167; Private Sale Records (Personal Property), 1866-72, entry 170. Arr. by date of filing. Indexed alph. by name of estate. Hdw. under pr. hdgs. 440 p. 18 x 13 x 2 1/2. Co. clk.'s off., 2nd fl.

165. (Co-) PARTNERSHIP, APPRAISEMENT AND INVENTORY RECORD, 1889--. 1 v. (A).

Record of appraisement and inventory in settlement of estates involving a partnership, showing oath of appraisers, itemized list of real and personal property, appraisers' bill, value and description of property, names of estate, partners and heirs, copartnership appraisement bill, amounts of outstanding claims, accounts receivable, notes and cash balance available. Arr. by date of filing. Indexed alph. by name of partner. Hdw. on pr. fm. 575 p. 18 x 13 1/2 x 3. Co. clk.'s off., 2nd fl.

166. GUARDIANS' INVENTORY RECORD, 1872--. 1 v. (A). 1866-71 in Inventory, Appraisement and Sale Record, entry 164.

Guardians' inventory record showing legal description and value of real estate, itemized list and value of personal property, probable rental value of real estate, annuities, credits, and statement of guardian. Arr. by date of filing. Indexed alph. by name of estate. Hdw. on pr. fm. 567 p. 18 x 13 1/2 x 2 1/2. Co. clk.'s off., 2nd fl.

167. APPRAISEMENT RECORDS, 1873--. 5 v. (B-F). 1866-72 in Inventory, Appraisement and Sale Record, entry 164.

Record of appraisement of estates in probate, showing names of estate, appraiser, widow and heirs, court order appointing appraiser, date of oath, acknowledgment, itemized list and value of real and personal property, total value, and amount allowed widow and minor children. Arr. by date of filing. Indexed alph. by name of estate. Hdw. on pr. fm. 300 p. 18 x 13 x 3. V. B, 1873-88, co. clk.'s vlt., 1st fl.; V. C-F, 1889--, co. clk.'s off., 2nd fl.

Widows' Relinquishment and Selection (See also entry 153)

168. WIDOWS' RELINQUISHMENT AND SELECTION, 1873--. 3 v. (A-C).
Record of widows' relinquishments and selections from decedent's estates, showing names of estate, widow, appraiser, judge, and clerk, list of items selected, relinquished, and allowed, appraised value, appraisement bill of personal property, statement of appraiser, and date of filing. Arr. by date of filing. Indexed alph. by name of widow. Hdw. on pr. fm. 400 p. 18 1/2 x 13 x 3. Co. clk.'s off., 2nd fl.

Petitions, Decrees, Reports of Sale (See also entry 153)

169. RECORD OF SALE OF REAL ESTATE, 1864-69, 1892--. 3 v. (1 not labeled, D, E).
Copies of proceedings of petitions to sell real estate to pay debts, showing names of estate, petitioner, judge, clerk, and creditors, date and amount of sale, action taken, and date of entry. Arr. by date of entry. Indexed alph. by name of estate. Hdw. on pr. fm. 580 p. 18 x 13 x 3. Co. clk.'s off., 2nd fl.

170. PRIVATE SALE RECORDS (Personal Property), 1873--. 5 v. (B-F). 1866-72 in Inventory, Appraisement and Sale Record, entry 164.
Copies of petitions for sale of personal property to pay debts including bills of sale, showing names of estate, heirs, petitioner, judge, clerk and creditors, itemized list of articles, terms, date and amount of sale, court proceedings and orders, and date of filing. Arr. by date of filing. Indexed alph. by name of estate. Hdw. on pr. fm. 350 p. 18 x 13 x 2 1/2. Co. clk.'s off., 2nd fl.

171. RECORD OF AFFIDAVIT OF CREDITORS TO APPEAR, 1870-74. 1 v.
Copies of affidavits of administrative officer concerning publication of notice for creditors to appear, showing names of estate, administrative officer, newspaper, and publisher, dates of publication, affidavit, adjustment, and filing and cost of publication. Arr. by date of filing. Indexed alph. by name of estate. Hdw. on pr. fm. 512 p. 18 x 16 x 3. Co. clk.'s vlt., 1st fl.

Reports, Current and Final Accounts (See also entry 153)

172. REPORT RECORD, 1840--. 13 v. (1-3, A-J). Title varies: Probate Accounts Current, v. 1-3, 1840-69.
Copies of administrators' and executors' reports, showing names of estate, petitioner, heirs, and administrative officer, dates of petition and letters, amount and purpose of receipts and expenditures, recapitulation of accounts, balance available, signature of heirs and agent, and date of filing. Also contains Guardians' Report Record, 1840-85, entry 173. Arr. by date of filing. Indexed alph. by name of estate. Hdw. and typed on pr. fm. 437 p. 18 x 13 x 3. V. 1-3, A, 1840-79, co. clk.'s vlt., 1st fl.; V. B-J, 1880--, co. clk.'s off., 2nd fl.

173. GUARDIANS' REPORT RECORD, 1886--. 6 v. (E-J). 1840-85 in Report Record, entry 172.
Guardians' report record showing names of estate, guardian, and minor, date of report, items of receipts and disbursements, recapitulation, description of securities, and sworn statement of guardian to correctness. Arr. by date of filing. Indexed alph. by name of estate. Hdw. on pr. fm. 500 p. 18 x 13 x 3. Co. clk.'s off., 2nd fl.

174. ESTATE LEDGER, 1855-75. 2 v. (A, A). Title varies: Probate Ledger, v. A, 1855-66.
Ledger of accounts in settlement of estates, showing date of entry, names of estate and heirs, items of receipts and disbursements, date, amount, and purpose of receipts and disbursements. Arr. by date of entry. Indexed alph. by name of estate. Hdw. under pr. hdgs. 300 p. 18 x 15 x 3. Co. clk.'s vlt., 1st fl.

Dockets

175. PROBATE JUDGE'S DOCKET, 1859--. 18 v. (A-Q, 3). Title varies: Probate Court Docket, v. A, 1859-82.
Judge's docket of probate cases, showing names of estate, administrative officer, claimant, attorneys, witnesses, judge, and clerk, nature of action, date of hearing, and docket entries. Arr. by date of filing. Indexed alph. by name of estate. Hdw. on pr. fm. 320 p. 18 x 13 x 3. V. A-I, 1859-1910, co. clk.'s vlt., 1st fl.; v. J-Q, 3, 1911--, co. clk.'s off., 2nd fl.

176. PROBATE JUDGMENT DOCKET, 1859--. 5 v. (A, 1859-75; B-E, 1870--). Title varies: Judgment Docket, v. A, 1859-75.
Docket of judgments on claims against estates, showing date, number, amount, and purpose of claim, names of claimant and estate, memoranda as to summons, notices, and judgment of court. Arr. by date of entry. Indexed alph. by name of estate; for sep. index, 1859-82, see entry 177. Hdw. under pr. hdgs. 556 p. 18 x 13 x 3. V. A, 1859-75, co. clk.'s vlt., 1st fl.; v. B-E, 1870--, co. clk.'s off., 2nd fl.

177. INDEX TO JUDGMENT DOCKET, 1859-82. 1 v.
Index to Probate Judgment Docket, entry 176, showing names of estate and claimant, and book and page of entry in docket. Arr. alph. by name of claimant. Hdw. under pr. hdgs. 600 p. 18 x 13 x 3. Co. clk.'s vlt., 1st fl.

178. PROBATE CLAIM DOCKET, 1881--. 4 v. (B-E).
Docket of claims against estates, showing name and address of claimant, date, nature, number, and amount of claim, name of estate, amount allowed, and date of filing. Arr. by date of filing. Indexed alph. by name of estate. Hdw. under pr. hdgs. 318 p. 18 x 13 x 3. V. B, 1881-1907, co. clk.'s vlt., 1st fl.; v. C-E, 1908--, co. clk.'s off., 2nd fl.

Fee Books

(See also entry 98)

179. PROBATE FEE BOOK, 1870--. 13 v. (A-D, F-M).
1839-69 in Probate Records, entry 156.
Record of fees charged, collected, and disbursed in settlement of probate cases, showing date of court term, names of estate, administrative officer and clerk, date, amount, and purpose of fees collected and disbursed, and itemized statement of all fees. Arr. by date of filing. Indexed alph. by name of estate. Hdw. on pr. fm. 420 p. 18 x 13 x 3. Co. clk.'s off., 2nd fl.

(Next entry 180, p. 191)

VI. CIRCUIT COURT

The circuit court has original jurisdiction of all causes in law and equity and acts as a court of appeals in probate matters and causes cognizable by the county court and justices of the peace.[1] In addition, it is one of the courts capable of exercising naturalization jurisdiction according to Federal statutes.[2]

The circuit court was held in Menard County by a circuit judge appointed by the General Assembly from 1839 to 1841.[3] In 1841 additional associate justices of the Supreme Court were appointed by joint ballot of the General Assembly, which justices, together with the other justices of the Supreme Court, held the circuit courts.[4] Then in 1849 another change was made in accordance with the second constitution which provided for the election of circuit judges by the district electorate.[5] The Constitution of 1870 altered the circuit districts and established population requirements for counties that may comprise a circuit.[6] From 1849 to the present the circuit judges have been elected officers of the judicial district electorate. The eighth circuit is made up of eight counties, one of which is Menard.[7]

Three circuit judges who serve for six-year terms are elected for the district. Before entering upon the duties of his office, each circuit judge is required to subscribe to an oath which he files with the Secretary of State.[8] In 1835 the salary of the circuit judge was $750 per annum.[9] The Constitution of 1870 fixed the salary at $3,000 until otherwise provided by law.[10] The compensa-

1. Const. 1870, Art. VI, Sec. 12; L. 1871-72, p. 109; R.S. 1874, p. 344; L. 1895, p. 189; L. 1933, p. 638; L. 1935, p. 1.
2. 2 U.S. Stat. 155; U.S.R.S. 1789-1874, p. 378-80; 34 U.S. Stat. 596; 37 U.S. Stat. 737; 44 U.S. Stat. 709. Circuit courts still retain naturalization jurisdiction but do not exercise it where U.S. District Courts are convenient.
3. L. 1835, p. 150,151.
4. L. 1841, p. 173; R.S. 1845, p. 143.
5. Const. 1848, Art. V, Sec. 7,15.
6. Art. VI, Sec. 13.
7. L. 1933, p. 436.
8. Const. 1870, Art. VI, Sec. 12; L. 1933, p. 436.
9. L. 1835, p. 167.
10. Art. VI, Sec. 16.

tion of the judges has undergone many modifications over a period of time, the tendency being toward increases rather than decreases. Some of the recent changes have been: for judges elected from 1919 to 1925, $6,400;[11] for the period from 1925 to 1933, $8,000;[12] after the first Monday in June 1933 it was $7,200;[13] until 1939 when it was again increased to $8,000.[14] The salaries are paid from the state treasury.

The hearings of several of the election contests are held before this court. Jurisdiction is granted to the court to hear and determine contests of the election of judges of the Supreme Court, judges of the circuit court, and members of the State Board of Equalization; but no judge of the circuit court is allowed to sit upon the hearing of any case in which he is a party.[15] The circuit court also hears and determines the election contests of some of the local and county officers. These include contests of judge of the county court, mayors of cities, president of the county board, presidents of villages, elections in reference to removal of county seats and in reference to any other subject which may be submitted to the vote of the people of the county. The circuit court has concurrent jurisdiction with the county court in cases of contested elections under the latter's jurisdiction.[16]

Included under the jurisdiction of the circuit court are also appeals from the Illinois Commerce Commission's rules, regulations, orders, or decisions. Such appeals may be taken to the circuit court serving Menard County when the subject matter of the hearing is situated in this county. The appeal may be heard for the purpose of having the reasonableness or lawfulness of the rule, regulation order, or decision inquired into and determined.[17]

To expedite the handling of litigation, a branch circuit court may be held at the same time that the main or regular circuit court for Menard County is in session. A branch court is held by any circuit judge of this circuit or by a judge of any other circuit called in for the purpose of hearing and deciding motions and settling the issues in any or all causes pending in the circuit court, and for the purpose of hearing chancery causes and cases at law which are

11. L. 1919, p. 553,554.
12. L. 1931, p. 148.
13. L. 1933, p. 621.
14. L. 1937, p. 189,606. Effective in 1939.
15. L. 1899, p. 152.
16. L. 1871-72, p. 396; L. 1895, p. 170.
17. L. 1921, p. 742,743.

pending in such court for that term. The presiding judge of the main circuit court assigns to the branch court as many of the law and chancery cases as the presiding judge of the branch court will possibly have time to hear.[18]

Also, to aid in the speedy administration of justice, the judges, or a majority of them, may by an order entered of record in the office of the clerk of the circuit court, dispense with either or both the grand and petit juries for any term or part of term of the circuit court, and may designate what term or portion thereof shall be devoted to criminal business, and what term or portion thereof to civil business.[19]

Each of the three judges of the circuit court is authorized to appoint one official shorthand reporter. This appointee is required to be skilled in verbatim reporting and is not allowed to hold more than one such official appointment. The appointment is in writing and is required to be filed in the office of the auditor of public accounts. The reporter holds office until his appointment is revoked by the appointing judge or until the termination of the judge's term. When the official reporter is absent or disabled, the presiding judge may appoint any other competent reporter to act during such absence or disability. The substitute is paid for his services by the official reporter. The reporter causes full stenographic notes of the evidence in all trials before the court to be taken down and transcript of the same to be correctly made if desired by either party to the suit, their attorneys, or the judge of the court. Each of the reporters receives and is paid out of the state treasury an annual salary of $3,240. The salaries are paid out monthly on the warrant of the auditor of public accounts.[20]

The probation officer for adult probationers is an appointee of the circuit court.[21] His services extend throughout the county. Courts exercising criminal or quasi-criminal jurisdiction are given power to release on probation, adult or juvenile offenders found guilty of committing certain specified offenses.[22] In the performance of his prescribed duties, the probation officer principally serves the county and circuit courts. He is

18. L. 1873-74, p. 82,83; L. 1905, p. 146.
19. L. 1835, p. 167,168; L. 1935, p. 441,442.
20. L. 1933, p. 463,464.
21. L. 1911, p. 280.
22. Ibid., p. 277.

required to give bond as determined by the circuit court in a sum not exceeding $5,000 and is subject to the rules of and removal by the appointing court.[23] Menard County has one probation officer under the law of 1915 providing for one such officer for each 50,000, or fraction thereof, of population.[24]

The probation officer is compensated at a rate determined by the county board. In the performance of his duties, he is required to investigate the cases of defendants requesting probation; notify the court of previous conviction or probation; make reports to the respective courts; keep a set of records as described below; take charge of, and watch over, all persons placed on probation in his county, and all probationers moving from another county into his county. He is also required to notify probation officers in other counties of any probationers under his supervision who may move into those counties.[25]

The reports made by the probation officer to the courts are kept by the clerk in the respective cases. The courts' probation records include orders granting or refusing release on probation, probationer' bonds, the reports of probation officers noted above, and discharge of probationers.

The probation officer is required to keep complete accurate records of investigated persons, the action of the court, and the subsequent history of probationers. These are not public records but are open to inspection by any judge or any probation officer pursuant to a court order.[26]

Unlike the judges of the circuit court who are elected by the judicial district electorate, the clerk of this court is elected by the county electorate.[27] This official performs the ministerial duties of the circuit court of Menard County and files and preserves its records as well as those of the branch circuit court.[28] He is commissioned by the Governor and before entering upon the

23. L. 1911, p. 280,281; L. 1915, p. 380,381.
24. Ibid., p. 380. School census to be basis for determining population.
25. L. 1911, p. 281,282; L. 1915, p. 381,382.
26. L. 1911, p. 277-84; L. 1915, p. 378-84.
27. Const. 1848, Art. V, Sec. 7,21,29; Const. 1870, Art. X, Sec. 8.
28. L. 1905, p. 147.

duties of his office, gives bond with sureties which are approved by any two of the judges of the court. His bond is given in the sum of not less than $5,000 as agreed upon by the judges. The oath to which he subscribes is filed with the Secretary of State.[29] The compensation of the clerk of the circuit court is fixed by the county board within the limits set by the constitution. In counties the size of Menard, with a population of 10,663, the compensation of the clerk of the circuit court shall not exceed $1,500 a year.[30] If a vacancy occurs in this office and the unexpired term does not exceed one year, the court is required to fill such vacancy by appointment of a clerk pro tempore. The appointee is then required to qualify for office in the same manner as the regularly elected clerk of the circuit court. When the appointment is made, the court notifies the Governor of the filled vacancy. The Governor in turn, as soon as practicable, issues a writ of election for the circuit court clerk.[31]

The clerk of the circuit court was first appointed by the circuit judge in Menard County.[32] He kept a record of all the oaths that he administered and certified a copy annually to the Secretary of State.[33] The clerk preserved a complete record of all proceedings and determinations of the court of which he was clerk.[34] At each term of the circuit court, the clerk inquired into the condition of the treatment of prisoners and was required to see that all prisoners were humanely treated.[35] This authority was in later years, and is at present, delegated to the circuit court.[36] One of the early requisites of this office was for the clerk of the circuit court to reside near the county seat in order that he could attend to his duties daily. In the event that it were not possible for him to be in daily attendance, the presiding judge was to fill such vacancy.[37] The Constitution of 1848 made the clerk of the circuit court an elective officer of the county for a four-year term.[38] This arrangement has continued until the present.[39]

29. R.S. 1874, p. 260.
30. Const. 1870, Art. X, Sec. 10.
31. L. 1873-74, p. 95.
32. Const. 1818, Art. IV, Sec. 6; R.L. 1833, p. 152; R.S. 1845, p. 146.
33. L. 1819, p. 349.
34. R.L. 1829, p. 44; R.L. 1833, p. 152; R.S. 1845, p. 147.
35. R.L. 1827, p. 248.
36. R.S. 1874, p. 616; L. 1923, p. 424.
37. R.L. 1829, p. 35.
38. Const. 1848, Art. V, Sec. 29.
39. Const. 1870, Art. X, Sec. 9.

The clerk is able to perform the several duties of his office with the aid of his staff which consists of assistants and deputy clerks who are appointed by him in a number determined by rule of the circuit court.[40] This order is entered as of record and the compensation of such assistants and deputies is set by the county board.[41]

Among the records kept by the clerk for the circuit court are the following:[42]

1. Books of record of the proceedings and judgments of the court with alphabetical indexes by parties. Proceedings are recorded at length only in cases designated by law, or when the court at the motion and assumption of expense by one of the parties, so orders. In practice, from an early date, the court record has been broken down into segregated types of proceedings and judgments.
2. "Plaintiff-Defendant Index to Court Records" and "Defendant-Plaintiff Index to Court Records," intended to be separate records, but frequently combined in a single volume with the two indexes segregated in each volume.
3. A general docket in which all suits are entered in the order they are commenced.
4. A judgment and execution docket containing a column for the entry of satisfaction or other disposition. In practice, an execution docket is frequently set up independently.
5. Additional dockets, designated as the clerk's, judge's and bar docket. In practice, the bar docket has tended to drop out of use.
6. A fee book in which costs and fees are to be entered under the proper title of the case. In practice, separate series of volumes are maintained under such titles of causes.
7. Transcripts of proceedings in appeals from justices', city and foreign courts, dockets thereof, and transcripts of judgments for liens, etc., from the former. Separate wellbound books

40. L. 1831, p. 49; Const. 1870, Art. X, Sec. 9.
41. Ibid.
42. The Civil Practice Act of 1933 grants authority to the circuit court, subject to rules promulgated by the Supreme Court and not inconsistent with statutory requirements, to make such rules as they may deem expedient, regulating dockets and calendars of said court (L. 1933, p. 786).

are required to be kept for each city court. These books are to contain an alphabetical docket of all judgment decrees rendered in the city court. They also provide for entry of data relating to the filing of the transcript, with the corresponding number of the transcript.[43]

8. Naturalization proceedings from petitions to final certificates; Federal statutes allow the circuit court to exercise jurisdiction.
9. Reports to the court from its designated masters in chancery, the state's attorney, and the coroner's inquest juries.
10. Jury venires, summonses, certificates, etc.
11. Original documents used in court hearings and determinations. These documents are of particular importance because in a large number of cases the complete proceedings are not spread on court record.
12. Monthly reports of the warden of the county jail, containing a list of all prisoners in his custody, showing causes of commitment and names of persons by whom committed.[44]

Proceedings of Court

180. INDEX TO LAW CASES (Common Law, Criminal, and Chancery), 1839--. 3 v. (1, 1, 1).

Index to (Circuit Court Files), entry 181; Narr and Cognovit, 1898--, entry 184; and Law Records (Common Law), 1839-53, entry 185, showing names of plaintiff and defendant, nature and term of case, and file box number. Arr. alph. by names of plaintiff and defendant. Hdw. under pr. hdgs. 375 p. 14 x 10 1/2 x 2. Cir. clk.'s off., 2nd fl.

181. (CIRCUIT COURT FILES), 1839--. 447 f.b. (1-447).

Documents in civil, criminal, and chancery cases including: summonses, subpoenas, petitions, decrees, transcripts of evidence, affidavits of witnesses, orders of court,

43. R.L. 1827, p. 217; L. 1865, p. 79; R.S. 1874, p. 260; L. 1895, p. 217; L. 1901, p. 136,137.
44. R.S. 1845, p. 323-26,414,418,419,518; L. 1873, p. 64; R.S. 1874, p. 262,263,283,339,616,630; L. 1933, p. 678,707; 2 U. S. Stat. 153-55; U.S.R.S. 1789-1874, p. 378-80; 34 U.S. Stat. 596-607,709,710; 45 U.S. Stat. 1514,1515.

defendants' answers, bills for divorce, instructions to jury, stipulations, declarations, pleas, indictments, replications, motions for new trials, verdicts of jury, defaults, appeals, and venire of jurors. Arr. by date of filing. For index, see entry 180. Hdw. on pr. fm. 10 1/2 x 4 1/2 x 14. Cir. clk.'s off., 2nd fl.

182. MISCELLANEOUS INSTRUMENTS, 1872--. 4 f.b. (1, 2, 4, 5).
Miscellaneous court papers including instructions to jury, foreclosure papers, jury lists, and copies of state's attorney's reports. Also contains (Foreign Witness Affidavits), 1872-1917, entry 214. Arr. by date of instrument. No index. Hdw. on pr. fm. 5 1/2 x 4 1/2 x 9. Cir. clk.'s vlt., 1st fl.

183. MECHANICS' LIEN, 1887--. 1 f.b. (1).
Copies of mechanics' liens, showing lien number, names of owner and claimant, legal description of property, terms and condition of contract, value of material furnished, cost of labor, amount of claim, and statement of claimant. Arr. by date of filing. Indexed alph. by name of owner. Hdw. on pr. fm. 10 1/2 x 4 x 14. Cir. clk.'s off., 2nd fl.

184. NARR AND COGNOVIT, 1898--. 6 f.b. (1-5, 1 not labeled).
Judgments entered by confession and satisfaction during court vacation, showing names of plaintiff and defendant, nature of charge, date and amount of judgment, amount of court costs and fees, and nature of satisfaction. Arr. by date of judgment. For index, see entry 180. Hdw. on pr. fm. 10 1/2 x 4 1/2 x 14. Cir. clk.'s off., 2nd fl.

185. LAW RECORDS (Common Law), 1839-53. 40 f.b. (1-40).
Original documents filed in court cases by Abraham Lincoln as attorney for Menard County including: subpoenas, summonses, complaints, petitions, appeals, and court orders. Arr. by date of filing. For index, see entry 180. Hdw., hdw. on pr. fm. 10 1/2 x 4 x 14. Cir. clk.'s off., 2nd fl.

186. PLAINTIFFS' AND DEFENDANTS' INDEX, 1858--. 6 v. (1 not labeled, C, D, plaintiff; 1 not labeled, C, D, defendant).
Index to Circuit Court Record (Common Law and Criminal), 1858--, entry 187, and Chancery Record, 1858--, entry 188, showing names of plaintiff and defendant, kind of action,

record of book and page of entry, dates of term and judgment, and case number. Arr. alph. by names of plaintiff and defendant. Hdw. under pr. hdgs. 600 p. 18 x 12 x 3. Cir. clk.'s off., 2nd fl.

187. CIRCUIT COURT RECORD (Common Law and Criminal), 1858--. 9 v. (A-H, J).

Record of common law and criminal cases including record of probations, showing names of plaintiff, defendant, attorneys, judge, witnesses, and jurors, term date, type of action, proceedings, and orders of court. Also contains Chancery Record, 1839-57, entry 188; Indictment Record, 1839-72, entry 189; Confession Record, 1839-90, entry 190; Confessions of Judgments in Vacation, 1839-90, entry 191; Default Record, 1839-69, 1905--, entry 193; Recognizance Record, 1933--, entry 207; and Bail Bond Record, 1922--, entry 208. Arr. by date of entry. 1839-57, indexed alph. by name of defendant; for index, 1858--, see entry 186. Hdw. on pr. fm. 535 p. 18 x 13 x 3. Cir. clk.'s off., 2nd fl.

188. CHANCERY RECORD, 1858--. 20 v. (1-20). 1839-57 in Circuit Court Record (Common Law and Criminal), entry 187.

Record of chancery cases, showing date, case number, names of complainant, defendant, witnesses, judge, attorneys, and jurors, nature of action, proceedings, and orders of court. Also contains Foreclosure Record, 1858-73, 1908--, entry 192. Arr. by date of court order. Indexed alph. by name of complainant; for sep. index, see entry 186. 1858-1908, hdw.; 1909--, typed. 575 p. 18 x 13 x 3. Cir. clk.'s off., 2nd fl.

189. INDICTMENT RECORD, 1873--. 3 v. (1-3). 1839-72 in Circuit Court Record (Common Law and Criminal), entry 187.

Record of criminal indictments, showing date of court term, names of plaintiff, defendant, and state's attorney, nature of offense, and findings of grand jury. Arr. by date of indictment. Indexed alph. by name of defendant. 1873-1906, hdw. on pr. fm.; 1907--, typed on pr. fm. 600 p. 18 x 13 x 1 1/2. Cir. clk.'s off., 2nd fl.

190. CONFESSION RECORD, 1891--. 1 v. 1839-90 in Circuit Court Record (Common Law and Criminal), entry 187.

Record of judgment entered by confession, showing names of plaintiff, defendant, attorneys, and judge, date of court

term, nature and amount of judgment, court costs, and orders of the court. Arr. by date of judgment. Indexed alph. by name of defendant. Hdw. on pr. fm. 18 x 13 x 2. Cir. clk.'s off., 2nd fl.

191. CONFESSIONS OF JUDGMENTS IN VACATION, 1891--. 2 v. (1, 2). 1839-90 in Circuit Court Record (Common Law and Criminal), entry 187.

Record of confessions and judgments entered during court vacation, showing names of plaintiff, defendant, attorneys, and clerk, nature and amount of judgment, amounts of costs and fees, date of confession, and satisfaction. Arr. by date of confession. Indexed alph. by names of plaintiff and defendant. Hdw. 450 p. 18 x 13 x 3. Cir. clk.'s off., 2nd fl.

192. FORECLOSURE RECORD, 1874-1907. 2 v. (A, B). 1858-73, 1908-- in Chancery Record, entry 188.

Record of mortgage foreclosures, showing names of mortgagor and mortgagee, dates of mortgage and foreclosure, consideration, legal description and location of mortgaged property, and court orders. Arr. by date of court order. Indexed alph. by name of mortgagor. Hdw. on pr. fm. 440 p. 18 x 13 x 2. Cir. clk.'s off., 2nd fl.

193. DEFAULT RECORD, 1870-1904. 1 v. 1905-- in Circuit Court Record (Common Law and Criminal), entry 187.

Record of default cases, showing names of plaintiff, defendant, judge, clerk, and sheriff, term date, kind of action, costs, amount of judgment, and order of court. Arr. by term date. Indexed alph. by name of plaintiff. Hdw. on pr. fm. 325 p. 18 x 13 x 3. Cir. clk.'s off., 2nd fl.

Transcripts

194. JUSTICE OF PEACE TRANSCRIPTS, 1839--. 1 cardboard box, 2 f.b.

Transcripts of proceedings of justice of peace courts, showing names of justice, plaintiff, defendant, and officers of the court, date of summons, court costs, constables' fees, kind of action, petitions, testimonies, and court orders. Arr. by case no. No index. Hdw. on pr. fm. Cardboard box 12 x 12 x 18; f.b. 10 x 5 x 14. Cardboard box, 1839-95, cir. clk.'s vlt., 1st fl.; 2 f.b., 1896--, cir. clk.'s off., 2nd fl.

195. TRANSCRIPTS RECORD, 1847--. 4 v. (1-4).

Record of transcripts of judgments from foreign and

justice courts, showing date, names of attorneys, plaintiff, defendant, and officers of court, kind of action, petitions, testimonies, and court orders. Arr. by date of entry. Indexed alph. by name of plaintiff. Hdw. on pr. fm. 325 p. 18 x 13 x 3. Cir. clk.'s off., 2nd fl.

Dockets

196. GENERAL DOCKET, 1839--. 8 v. (6 not labeled, 1, 2). Missing: 1859, 1860, 1868-73. Title varies: Clerk's Docket, 1 v., 1861-67.
Docket of common law, criminal, and chancery cases, showing names of plaintiff, defendant, witnesses, and attorneys, action taken, date, and record book and page of entry. Indexed alph. by names of plaintiff and defendant. Hdw. under pr. hdgs. 225 - 550 p. 13 x 8 x 1 - 18 x 13 x 2. 6 v. not labeled, 1839-67, cir. clk.'s vlt., 1st fl.; v. 1, 2, 1884--, cir. clk.'s off., 2nd fl.

197. JUDGMENT DOCKETS, 1839--. 5 v. (1-5).
Docket of judgments, showing case number, names of parties against whom and in whose favor judgment is entered, amount of judgment, damages, and costs, dates of execution and return, record book and page number, and remarks. Arr. alph. by name of defendant. Indexed alph. by names of plaintiff and defendant. 1839-59, hdw.; 1860--, hdw. on pr. fm. 287 pr. fm. 287 p. 18 x 13 x 3. Cir. clk.'s off., 2nd fl.

198. EXECUTION DOCKET, 1839--. 5 v. (1-5).
Docket of executions issued, showing date and number of execution, names of plaintiff and defendant, amounts of costs and debt, clerk's fees, to whom delivered, and sheriff's return. Arr. alph. by name of defendant. No index. Hdw. on pr. fm. 319 p. 18 x 13 1/2 x 3. Cir. clk.'s off., 2nd fl.

199. JUDGES' DOCKET, 1854--. 15 v. (2 not labeled, 2-12, 2 not labeled).
Judges' docket showing case number, date, names of attorneys, plaintiff, and defendant, previous proceedings, judge's orders, and remarks. Arr. by case no. Indexed alph. by names of plaintiff and defendant. Hdw. under pr. hdgs. 300 p. 18 x 14 x 3. Cir. clk.'s off., 2nd fl.

Fee Books

200. FEE BOOK, 1839--. 15 v. (A, 1-14).
Register of fees received in common law, criminal, and chancery cases including witness fees paid, showing case

number, term date, names of plaintiff and defendant, action, plaintiff's and defendant's costs, items of fee and date of payment. Also contains Default Fee Book, 1839-69, 1905--, entry 201. Arr. by date of payment. No index. Hdw. on pr. fm. 660 p. 16 x 12 x 2 1/2. V. A. 1839-49, cir. clk.'s vlt., 1st fl.; v. 1-14, 1850--, cir. clk.'s off., 2nd fl.

201. DEFAULT FEE BOOK, 1870-1904. 1 v. (A). 1839-69, 1905-- in Fee Book, entry 200.
Record of fees collected in default cases, showing names of plaintiff, defendant, and attorneys, term date, case number, and itemized lists of fees. Arr. by date of filing. Indexed alph. by name of plaintiff. Hdw. on pr. fm. 416 p. 18 x 13 x 2. Cir. clk.'s off., 2nd fl.

Reports to Court

202. RECORD OF STATE'S ATTORNEY'S REPORTS, 1873--. 1 v. (A).
Reports submitted by state's attorney to circuit court, showing itemized list of all moneys received, names of payer, plaintiff, and defendant, amount of fines and costs, nature of case, and date of filing. Arr. by date of report. No index. Hdw. on pr. fm. 318 p. 18 x 13 x 1 1/2. Cir. clk.'s off., 2nd fl.

Jury Records

203. PETIT AND GRAND JURORS' CERTIFICATES AND ORDERS, 1846--. 6 v. (3 not labeled, 2, 3, 4).
Stub record of certificates issued to grand and petit jurors for jury services, showing name of juror, date, amount, and purpose of certificate, number of days served, mileage fees earned, and date of payment. Arr. by date of issue. Indexed alph. by name of juror. Hdw. on pr. fm. 240 p. 18 x 12 x 1 1/2. Cir. clk.'s off., 2nd fl.

204. VERDICTS OF JURIES, 1885--. 2 f.b. (4, 5).
Jury verdicts showing names of defendant and jurors, nature of charge, and date of trial and verdict. Arr. by date of trial. No index. Hdw. on pr. fm. 5 1/2 x 4 x 2. Cir. clk.'s vlt., 1st fl.

205. VENIRE FOR JURORS, 1897--. 3 f.b. (1, 2, 1 not labeled). Missing: 1916-24.
Jurors' venire showing time, date and place of summons, names and addresses of jurors, remarks, and signature of clerk. Arr. by date of summons. No index. Hdw. on pr.

fm. 5 1/2 x 4 x 9. Cir. clk.'s off., 2nd fl.

Bonds

206. BONDS, 1839--. 3 f.b. (M-O).
Original bonds of circuit and county clerks and sheriffs including attachment, appeal, bail, and recognizance bonds, showing names of principal and sureties, date, amount, and terms of bond, and acknowledgment. Arr. by date of bond. No index. Hdw. on pr. fm. 5 1/2 x 4 1/2 x 9. Cir. clk.'s vlt., 1st fl.

207. RECOGNIZANCE RECORD, 1871-1932. 1 v. 1933-- in Circuit Court Record (Common Law and Criminal), entry 187.
Copies of recognizance bonds, showing date and term of court, names of defendant and sureties, nature of charge, amount and date of bond, and date set for appearance of defendant. Arr. by date of bond. Indexed alph. by name of defendant. Hdw. on pr. fm. 639 p. 18 x 13 1/2 x 3. Cir. clk.'s off., 2nd fl.

208. BAIL BOND RECORD, 1917-21. 1 v. 1922-- in Circuit Court Record (Common Law and Criminal), entry 187.
Copies of bail bonds, showing names of defendant and sureties, date, amount, and terms of bond, nature of charge, and acknowledgment. Arr. by date of bond. Indexed alph. by name of defendant. Hdw. on pr. fm. 159 p. 18 x 13 x 2. Cir. clk.'s off., 2nd fl.

Naturalization
(See also entries 149-152)

209. NATURALIZATION PAPERS, 1889-1914. 1 f.b.
Original declarations of intention, showing name, address, age, and nativity of alien, date and oath of renunciation of allegiance to foreign power, and signature of clerk. Arr. by date of declaration. No index. Hdw. on pr. fm. 10 x 5 x 14. Cir. clk.'s off., 2nd fl.

210. RECORD OF DECLARATION INTENTION, 1852--. 4 v. (2 not labeled, 1, 2).
Copies of declarations of intention, showing application number, names of applicant and witness, age, nativity, birthplace, and occupation of alien, date of entry into the United States, date of filing oath to renounce allegiance to any foreign power, and acknowledgment. Arr. by application no. Indexed alph. by name of alien. Hdw. on

pr. fm. 100 - 410 p. 14 x 10 x 1 - 18 x 13 x 3. Cir. clk.'s off., 2nd fl.

211. NATURALIZATION RECORD, 1852--. 3 v.
Record naturalization of adults, minors, and soldiers, showing name, age, occupation, and nativity of petitioner, oath of allegiance, affidavits of witnesses, number and date of petition, and court orders granting citizenship. Arr. by petition no. Indexed alph. by name of alien. Hdw. on pr. fm. 450 p. 18 x 13 x 3. Cir. clk.'s off., 2nd fl.

Office Transactions

212. EXECUTIONS, 1839--. 4 f.b. (1-4).
Original execution papers showing court term, execution number, amounts of judgment, fine, costs, and sheriff's fees, term date, names of defendant, sheriff, clerk, and witnesses, and page of entry in fee and record book. Arr. by date of entry. Indexed alph. by name of defendant. Hdw. on pr. fm. 10 1/2 x 4 1/2 x 14. Cir. clk.'s off., 2nd fl.

213. PRAECIPE FOR EXECUTIONS, 1871--. 2 v.
Record of praecipe for executions issued by circuit court, showing names of plaintiff and defendant, date and kind of instrument, nature of charge, and dates of service and return. Arr. by date of entry. No index. Hdw. on pr. fm. 225 p. 14 x 9 x 1. 1 v., 1871-1903, co. clk.'s vlt., 1st fl.; 1 v., 1904--, cir. clk.'s off., 2nd fl.

214. (FOREIGN WITNESS AFFIDAVITS), 1918--. 1 f.b. 1872-1917 in Miscellaneous Instruments, entry 182.
Affidavit of witnesses from foreign counties or states for witness fees, showing name and address of witness, dates of affidavit, court term, and filing, acknowledgment, and signatures of circuit judge and clerk. Arr. by date of affidavit. No index. Hdw. on pr. fm. 5 1/2 x 4 x 9. Cir. clk.'s vlt., 1st fl.

215. ATTORNEYS' RECEIPTS, 1865-1907. 1 v.
Receipts for legal documents taken out, showing number and title of document, dates of loan and return of documents, and signature of attorney. Arr. alph. by name of attorney. No index. Hdw. on pr. fm. 16 x 10 x 1. Cir. clk.'s vlt., 1st fl.

(Next entry 216, p. 201)

VII. SHERIFF

The sheriff, by constitutional provision, has been an elected officer in Menard County from the organization of the county, in 1839, to the present.[1] The term of his office, originally set at two years,[2] is now four years.[3] In 1880 it was provided, by constitutional amendment, that no person elected to the office of sheriff should be eligible for reelection to that office until four years after the expiration of his term of office.[4] His bond in this county is required in the sum of $10,000 and must be approved by the county judge.[5] Memoranda of this bond are entered at large upon the records of the county court, and the bond is filed in the office of the county clerk.[6] The compensation of the sheriff is fixed by the county board within the limits set by the constitution. In counties the size of Menard, with a population of 10,663, the compensation of the sheriff shall not exceed $1,500 a year.[7] One or more deputies are appointed by the sheriff in accordance with the number allowed by rule of the circuit court. Compensation of the deputies is determined by the county board.[8] The sheriff is warden of the county jail and has custody and regulation of the same and of all prisoners.[9] To assist him in this administration, he appoints a superintendent of the county jail for whose con-

1. Const. 1818, Art. III, Sec. 11; Const. 1848, Art. VII, Sec. 7; Const. 1870, Art. X, Sec. 8; second amendment November 22, 1880, to the Const. 1870, Art. X, Sec. 8; also L. 1819, p. 109,110; R.S. 1874, p. 989.
2. Const. 1818, Art. III, Sec. 11; Const. 1848, Art VII, Sec. 7.
3. Const. 1870, Art. X, Sec. 8.
4. Ibid., as amended November, 1880.
5. R.S. 1874, p. 989, Cf. R.L. 1827, p. 371. Prior to the organization of the county court, the sheriff's bond and securities were approved by the circuit court.
6. R.S. 1845, p. 514; R.S. 1874, p. 989.
7. Const. 1870, Art. X. Sec. 10.
8. R.L. 1827, p. 373; R.S. 1845, p. 515; L. 1869, p. 399; Const. of 1870, Art. X, Sec. 9.
9. L. 1819, p. 111,112; R.L. 1827, p. 247-50; L. 1831, p. 103,104,106; R.L. 1833, p. 574,575; L. 1845, p. 8, 10,19; R.S. 1845, p. 133,134,515-17; R.S. 1874, p. 618,989-91; L. 1901, p. 137,138; L. 1923, p. 423-26. The citations also include references to duties not included in the general outline noted above.

duct he is responsible, and whom he may remove at pleasure.[10]

Essentially without change for over one hundred years, the principal duties of the sheriff are the following:

1. To act as conservator of the peace, with power to arrest offenders on view.[11]
2. To attend, in person or by deputy, all courts of record (city, county, probate, circuit, and appellate courts) in his county, and to obey the orders and directions of the courts.[12]
3. To serve, execute, and return all writs, warrants, process, orders, and decrees legally directed to him.[13]
4. To sell real or personal property by virtue of execution or other process.[14]
5. To send fingerprints of criminals to the State Bureau of Criminal Identification and Investigation.[15]

In the course of the sheriff's many detailed duties included in these broad provisions, the following records may be kept but do not appear in Menard County:

1. Receipts of deliveries of prisoners in changes of venue.[16]
2. Copies of reports to the county court and circuit court.[17]
3. Reports of pawnbrokers on loans and articles pawned.[18]
4. Data of identification of criminals and stolen property.[19]

10. L. 1923, p. 423.
11. R.L. 1827, p. 372; R.S. 1845, p. 515; R.S. 1874, p. 990.
12. R.L. 1827, p. 372; R.S. 1845, p. 515; R.S. 1874, p. 990.
13. Ibid.
14. R.L. 1827, p. 334; L. 1838-39, p. 14-18,20; R.S. 1845, p. 302,306,307; L. 1871-72, p. 505,507; R.S. 1874, p. 622,623,627-29.
15. L. 1931, p. 405.
16. R.S. 1874, p. 1096.
17. Ibid., p. 617; L. 1923, p. 424; L. 1933, p. 678.
18. L. 1909, p. 301.
19. L. 1931, p. 465.

The following records may be kept and do appear:

1. Register of prisoners.[20]
2. "Book of Accounts," including register of fees and disbursements.[21]
3. Process docket.
4. Execution docket.

Process

216. (SUMMONSES), 1839--. 4 f.b. (1, 2, 450, N). County court summonses served by sheriff, showing names of plaintiff, defendant, and deputy serving, cause for summons, dates of service and return, case number, and sheriff's fees. Arr. by case no. No index. Hdw. on pr. fm. 4 x 4 x 10. Sh.'s off., 2nd fl.

217. (EXECUTIONS), 1932--. 2 f.b. (A, Q). Original execution papers showing date, name of defendant, amounts of judgment and costs, sheriff's fees, date of filing, and signatures of clerk and attorney. Arr. by date of filing. No index. Hdw. on pr. fm. 4 1/2 x 4 1/2 x 10. Sh.'s off., 2nd fl.

218. (DEBTORS' SCHEDULES), 1932--. 1 f.b. (D). Statement of personal property owned by debtor, showing names of plaintiff and defendant, nature of suit, court of trial, number of persons in defendant's family, money on hand, date debts due, and signatures of defendant and sheriff. Arr. by date of filing. No index. Hdw. on pr. fm. 4 1/2 x 4 1/2 x 10. Sh.'s off., 2nd fl.

219. SHERIFF'S EXECUTION DOCKET, 1850--. 8 v. (2 not labeled, A, 2-6). Docket of executions served by the sheriff in circuit, county, and justice of the peace courts, showing docket number, names of plaintiff, defendant, attorneys, and sheriff, kind of action, dates of receipts, service, and return, by whom served, sheriff's fees, and remarks. Also contains Sheriff's Process Docket, 1925--, entry 220. Arr. by date of filing. Indexed alph. by name of defendant. Hdw. on pr. fm. 147 p. 16 x 12 x 2. 2 v. not labeled, 1850-70, v. A, 1871-80, 2-4, 1881-1922, co. clk.'s vlt., 1st fl.; v. 5, 6, 1923--, sh.'s off., 2nd fl.

220. SHERIFF'S PROCESS DOCKET, 1878-1924. 5 v. (1-5). 1925-- in Sheriff's Execution Docket, entry 221. Docket of processes served by the sheriff in circuit,

20. R.S. 1874, p. 617; L. 1923, p. 424.
21. L. 1871-72, p. 450,451; L. 1873-74, p. 104,105.

county, and justice of the peace courts, showing docket number, names of plaintiff, defendant, attorneys, and sheriff, kind of action, dates of receipts, service, and return, by whom served, sheriff's fees, and remarks. Arr. by date of receipt. No index. Hdw. on pr. fm. 209 p. 18 x 12 x 3. Co. clk.'s vlt., 1st fl.

Jail Records

221. REGISTER OF PRISONERS, 1870--. 4 v. (A-D). Register of prisoners in county jail, showing date, register number, name, nature of charge, sentence, dates of discharge or transfer, inventory of possessions on person, criminal record, and remarks. Arr. by date of filing. Indexed alph. by name of prisoner. Hdw. under pr. hdgs. 160 p. 16 x 12 x 2. V. A-C, 1870-1930, co. clk.'s vlt., 1st fl.; v. D, 1931--, sh.'s off., 2nd fl.

Fees, Receipts, Expenditures

222. SHERIFF'S FEE BOOK, 1902--. 3 v. (2-4). Register of sheriff's fees earned and received, showing names of payer and officer, type of service, mileage, and date and total amounts of fees earned. Arr. by date of filing. No index. Hdw. under pr. hdgs. 164 p. 17 x 15 x 1. V. 2, 1902-22, co. clk.'s vlt., 1st fl.; v. 3, 4, 1923--, sh.'s off., 2nd fl.

223. RECEIPTS AND DISBURSEMENTS, 1928--. 3 f.b. (B, C, H). Receipts and expenditures for maintenance of courthouse, showing date, amount and source of receipt, amount and purpose of expenditure, and amount available. Also contains (Correspondence), 1928-35, 1937--, entry 224. Arr. by date of receipt. No index. Hdw. 4 1/2 x 4 1/2 x 10. Sh.'s off., 2nd fl.

224. (CORRESPONDENCE), 1936. 1 f.b. 1928-35, 1937-- in Receipts and Disbursements, entry 223. General correspondence to and from the sheriff regarding inquiries concerning prisoners. Arr. by date of correspondence. No index. Hdw. and typed. 4 1/2 x 4 1/2 x 14. Sh.'s off., 2nd fl.

(Next entry 225, p. 204)

VIII. CORONER

The coroner's office in Menard County has continued in existence from the organization of the county, in 1839, to the present.[1] The coroner is elected by the county electorate for a four-year term.[2] After certification of his election by the county clerk, filing of his bond, and taking oath of office, he receives his commission from the Governor.[3] The coroner's bond in this county is required in the sum of $5,000 and must be approved by the county judge.[4] The compensation of the coroner is fixed by the county board within the limits set by the constitution. In counties the size of Menard, with a population of 10,663, the compensation of the coroner shall not exceed $1,500 a year.[5] The inquest duties of this official have changed little over a period of more than a century. The coroner acts as a conservator of the peace with powers equal to those of the sheriff in this respect and serves as a ministerial officer of the courts in the absence or disqualification of the sheriff; he also performs all the other duties of the latter when the office is vacant.[6]

The most important function of the coroner is to hold inquests over the bodies of persons supposed to have come to their death by violence, casualty, or other undue means. When notification of such death is received, the coroner proceeds to the body, takes charge of it, and summons a jury composed of six men from the vicinity in which the body was found. The jury is instructed to assemble at a stated time and place, to view the body and to inquire into the cause and manner of the death. If the inquest is continued and a vacancy should occur on the

1. Const. 1818, Art. III, Sec. 11; L. 1849, Second Sess., p. 7; Const. 1870, Art. X, Sec. 8.
2. The office is constitutional and elective (Const. 1818, Art. III, Sec. 11; Const. 1870, Art. X, Sec. 8). The term, formerly two years, is now four years (second amendment, November 22, 1880, to Const. 1870, Art. X, Sec. 8).
3. R.S. 1845, p. 514; R.S. 1874, p. 281.
4. Ibid.
5. Const. 1870, Art. X, Sec. 10.
6. L. 1819, p. 111, 160; L. 1821, p. 20-23; L. 1825, p. 63,64; R.L. 1827, p. 246-50, 372-75; R.S. 1845, p. 515,517; R.S. 1874, p. 281,282.

jury, the coroner is allowed to fill such vacancy.[7]

To the custody of the clerk of the circuit court are returned the verdict of the jury, and such recognizances as may be given the coroner by witnesses whose testimony implicates any person as the unlawful slayer of the deceased.[8] In his own office, the coroner files and preserves the record of such testimony.[9] The coroner also keeps one record which he originates, the "inquest record." This record recapitulates all the data involved in the entire inquest procedure and includes an inventory and accounting of the personal property and money of the deceased.[10]

Deputy coroners appointed by this official assist him in the performance of the duties of his office. The number of deputies is set by rule of the circuit court, and their compensation is determined by the county board of commissioners. The bond or securities of these assistants are taken by the coroner, and the oath to which each subscribes is filed in the county clerk's office.[11]

225. CORONER'S DEATH CERTIFICATE, 1839--. 4 f.b. (B, 4-6).
Copies of coroner's death certificates, showing name of deceased, occupational and personal particulars, date and cause of death, and date and place of burial. Arr. by date of death. No index. Hdw. on pr. fm. 4 1/2 x 5 1/2 x 9. Cir. clk.'s vlt., 1st fl.

226. CORONER'S INQUESTS AND REPORTS, 1839--. 15 f.b. (3-6, A-F, H-K, W).
Coroner's inquest papers including transcript of testimony and verdict of jury, showing names of deceased, jurors and witnesses, date of inquest, description of deceased, inventory and disposition of personal effects, and remarks. Arr. by date of inquest. For index, see entry 227. Hdw. on pr. fm. 4 1/2 x 5 1/2 x 9. Cir. clk.'s vlt., 1st fl.

7. L. 1821, p. 22-24; R.S. 1845, p. 517,518; R.S. 1874, p. 282-84; L. 1879, p. 82; L. 1907, p. 213; L. 1919, p. 403,404; L. 1931, p. 388,389.
8. L. 1821, p. 24,25; R.S. 1845, p. 518; R.S. 1874, p. 283.
9. L. 1869, p. 104,105; R.S. 1874, p. 283; L. 1907, p. 213,214; L. 1919, p. 293,294.
10. L. 1821, p. 25,26; R.S. 1874, p. 283.
11. Const. 1870, Art. X, Sec. 9; L. 1881, p. 63.

227. INQUEST INDEX, 1839--. 1 v. (1).
Index to Coroner's Inquests and Reports, entry 226, showing name of deceased, date of inquest, and file box number or letter. Condition of volume poor. Arr. alph. by name of deceased. Hdw. 150 p. 12 1/2 x 8 1/2 x 1. Cir. clk.'s off., 2nd fl.

228. CORONER'S RECORD, 1870--. 2 v. (A, B).
Record of coroner's inquests, showing names of coroner, deceased, jurors, and witnesses, date and place of inquest, cause of death, verdict of jury, inventory and disposition of personal effects, occupation, and date and place of burial. Arr. by date of inquest. Indexed alph. by name of deceased. Hdw. under pr. hdgs. 269 p. 18 x 14 x 2. Cir. clk.'s vlt., 1st fl.

(Next entry 229, p. 208)

IX. STATE'S ATTORNEY

In Menard County, since its organization in 1839, the state's attorney has commenced and prosecuted in courts of record all actions in which the people of the state or county were concerned.[1] Legislation enacted in 1835, provided that the state's attorney be appointed by the General Assembly.[2] This provision remained effective until 1848, when the state's attorney became an elective officer of the circuit district electorate.[3] At this time his services also were expanded to include the newly created county court. Finally the present constitution made the office elective in and for each county.[4] Bond in the sum of $5,000 has been required since 1872.[5] From the creation of this office in the state until the present, the state's attorney has continued to receive his commission from the Governor for the tenure of his office.[6] In 1835 his term was reduced to two years.[7] Then, by provisions of the Constitution of 1848,[8] the state's attorney's office became elective by the district electorate for a four-year term, the first term, however, being only for three years and ending in 1852. In Menard County the state's attorney receives an annual salary of $1,375, with an additional $400 paid by the state. Statutory fee rates are allowed him for convictions on specified offenses and crimes before justices of the peace, police magistrates, county and circuit courts. Also, rates are established for preliminary examinations of defendants, for attendance at trials, and for appeals. These several fees and rates make up a county fund from which is paid his salary.[9]

The duties of the state's attorney are the following:

1. To commence and prosecute all actions, suits, indictments, and prosecutions, civil or criminal,

1. R.L. 1827, p. 79,80; L. 1835, p. 44; R.S. 1845, p. 76; R.S. 1874, p. 173,174.
2. L. 1835, p. 44. From 1827 to 1835 the state's attorney was appointed by the Governor (R.L. 1827, p. 79,80).
3. Const. 1848, Art. V, Sec. 21.
4. Const. 1870, Art. VI, Sec. 22; R.S. 1874, p. 172.
5. L. 1871-72, p. 189.
6. R.L. 1833, p. 98; L. 1835, p. 44; Const. 1848, Art. V, Sec. 28; Const. 1870, Art. VI, Sec. 22; R.S. 1874, p. 172.
7. L. 1835, p. 44.
8. Art. V, Sec. 21; effective in 1849.
9. L. 1871-72, p. 422; L. 1873-74, p. 104,105; L. 1909, p. 231-33; L. 1929, p. 474-76; L. 1937, p. 607.

in any court of record in his county in which the people of the state or county may be concerned.

2. To prosecute all forfeited bonds and recognizances and all actions and proceedings for the recovery of debts, revenues, money, fines, penalties, and forfeitures accruing to the state or his county, or to any school district in his county; also to prosecute all suits in his county against railroads or transportation companies, which may be prosecuted in the name of the people of the State of Illinois.
3. To commence and prosecute all actions and proceedings brought by any county officer in his official capacity.
4. To defend all actions and proceedings brought against his county or against any county or state officer, in his official capacity, in his county.
5. To attend the examination of all persons brought before any judge on habeas corpus when the prosecution is in his county.
6. To attend before justices of the peace and prosecute charges of felony or misdemeanor for which the offender is required to be recognized and to appear before a court of record when it is within his power to do so.
7. To give his opinion without fee or reward, to any county officer or justice of the peace in his county upon any question of law relating to any criminal or other matter in which the people of the state or county may be concerned.
8. To assist the Attorney General whenever it may be necessary, and in cases of appeal or writ of error from his county to the Supreme Court to which it is the duty of the Attorney General to attend, he shall, a reasonable time before the trial of such appeal or writ of error, furnish the Attorney General with a brief, showing the nature of the case and the questions involved.
9. To pay all moneys received by him in trust, without delay, to the officer who by law is entitled to their custody.
10. To perform such other and further duties as may from time to time be enjoined upon him by law.
11. To appear in all proceedings by collectors of taxes against delinquent taxpayers for judgment to sell real estate, and to see that all the necessary preliminary steps have been legally taken to make the judgment legal and binding.[10]

10. R.S. 1845, p. 76; R.S. 1874, p. 172-74.

12. To enforce the collection of all fines, forfeitures, and penalties imposed or incurred in the courts of record in his county; and to report to the circuit courts on the collection of these moneys.[11]

The records of the state's attorney are kept in his office on the second floor of the county courthouse. For reports of state's attorney to circuit court, see entry 202.

229. (MISCELLANEOUS FILES), 1936--. 4 f.d. State's attorney's documents of criminal cases including affidavits, statements of witnesses, subpoenas, writs, and correspondence relative to cases. Arr. alph. by name of defendant. No index. Hdw., hdw. on pr. fm. 15 x 15 x 30.

230. STATE'S ATTORNEY'S DOCKET, 1898--. 1 v. Docket of criminal cases, showing case number, names of defendant and court, nature of charge, date of trial, amounts of fine and fees paid, and book and page of entry. Arr. by date of entry. Indexed alph. by name of defendant. 212 p. 10 x 14 x 1.

11. L. 1909, p. 406; L. 1912, Third Sp. Sess., p. 88,89; L. 1929, p. 475.

(Next entry 231, p. 210)

X. ASSESSOR

The county assessor, with the aid of the county board in Menard County, is responsible for the assessment of property upon which the district, county, state, and other taxes are levied. Principally, these officers annually revise the assessment of property, correct the same upon complaint, and quadrennially assess real and personal property.[1] Many statutory provisions have regulated this function in Menard County. Early laws fixed the value of the several categories of real and personal property, leaving to the assessing officer only limited discretion.[2]

Property assessments in Menard County are first made by district assessors, appointees of the county commissioners' court.[3] In 1844, this duty was assumed by the county treasurer[4] and has continued to be vested in that office ever since[5] with the exception of the year 1872, when a special assessor was appointed by the county board.[6] An act of 1873 made the county treasurer, in counties not under township organization, assessor ex officio.[7]

From 1849 to the present, the assessing officers have received their assessment lists from, and reported assessments to, the county clerk.[8] Every deputy assessor is bonded in the sum of $500. Bond for the county assessor is $2,000 or such larger sum as the county board may determine.[9]

1. L. 1871-72, p. 20-22; L. 1879, p. 243; L. 1881, p. 134; L. 1891, p. 187; L. 1898, p. 37,40,44; L. 1903, p. 295,296; L. 1923, p. 491,492,504,505; L. 1927, p. 713,714; L. 1928, Sp. Sess., 106; L. 1931-32, First Sp. Sess., p. 66.
2. L. 1819, p. 313-19; L. 1825, p. 173; L. 1839, p. 4-6; L. 1840, p. 4; L. 1845, p. 6.
3. L. 1839, p. 4. From 1827 to 1839 property assessments were made by the county treasurer (R.L. 1827, p. 330).
4. L. 1843, p. 231,237.
5. L. 1873, p. 74; L. 1881, p. 62; L. 1898, p. 36; L. 1923, p. 491.
6. L. 1871-72, p. 20.
7. L. 1873, p. 74.
8. L. 1849, p. 121,128; L. 1849, Second Sess., p. 38; L. 1853, p. 14,17,47,49; L. 1871-72, p. 19,20,23.
9. L. 1898, p. 36,37; L. 1931-32, First Sp. Sess., p. 66.

The compensation of the county assessor and his deputies is fixed by the county board.[10]

For other taxation records, see entries 1, 41-60, 138, 233-242, 244, 273.

231. (RAILROAD ASSESSMENTS), 1883--. 2 f.b. (521, 523).
Original statements of railroad assessments, showing date, names of railroad and township, legal description of property, equalized value, tax spread, and total tax. Arr. by date of statement. No index. Hdw. on pr. fm. 10 1/2 x 5 x 14. Co. clk.'s off., 2nd fl.

232. (TAX SCHEDULES PERSONAL PROPERTY), 1934--. 18 f.b.
Original personal property schedules showing name of property owner, school district number, itemized list and value of personal property, date of filing, and signature of assessor. Arr. by precinct no. No index. Hdw. on pr. fm. 11 x 5 x 17. Treas.'s off., 2nd fl.

10. L. 1939, p. 893.

(Next entry 233, p. 212)

XI. BOARD OF REVIEW

The authority to assess, equalize, and review or revise the assessment of property, an important aspect of the revenue procedure, is exercised by the board of review.[1] Early legislation provided for appeals from assessments to the county commissioners' court. The court was empowered to review and revise assessments on real and personal property.[2] In 1849, when the county court succeeded the county commissioners' court in Menard County, appeals were made to that body.[3] This provision remained effective until 1870 when the new constitution established the board of county commissioners to supplant the county court as the administrative body in counties not adopting township organization.[4] By subsequent legislation this board was constituted a board of review, and as such, its duties in regard to assessments were the following:

1. To assess omitted property.
2. To review assessments upon complaint.
3. To hear and determine the application of any person assessed on property claimed to be exempt from taxation.
4. To ascertain whether the valuation on one town or district bore just relation to the valuation in all towns or districts in the county and adjust the assessment.[5]

Today, the board of review in Menard County is required to assess taxable property omitted from the regular assessment, to review and correct assessments on property claimed to be incorrectly assessed, to increase or reduce the entire assessment if, in their opinion, it has not been made upon the proper basis, and to hear and determine the application of any person assessed on property claimed

1. L. 1898, p. 46-49; L. 1915, p. 566-70; L. 1919, p. 727; L. 1923, p. 496-502; L. 1930, Sp. Sess., p. 86; L. 1931-32, First Sp. Sess., p. 71,75-78; L. 1935, p. 1163-66.
2. L. 1839, p. 7; L. 1843, p. 237; L. 1845, p. 8; R.S. 1845, p. 441.
3. L. 1849, p. 65.
4. Const. 1870, Art. X, Sec. 6.
5. L. 1871-72, p. 24,25; L. 1873-74, p. 79; L. 1898, p. 46. In Menard County the county court performed all the duties set forth in the act of 1872 until the board of county commissioners was elected in 1873 (L. 1871-72, p. 69; L. 1873-74, p. 79,80).

to be exempt from taxation, which application if successful must be approved by the tax commission to be final. If such application is not approved the owner may have the question of exemption determined by judgment or decree of court, and the board of review may correct any error or mistake (other than an error of judgment as to valuation), with the approval of the assessing authority, any time before judgment of the court.[6] The members of the board of review receive $4 per day.[7]

For other taxation records, see entries 1, 41-60, 138, 231, 232, 236-242, 244, 273.

233. (RAILROAD TAX OBJECTIONS), 1898--. 2 f.b. (64, 498).
Lists of tax objections on taxable property belonging to railroad companies, showing description of property, tax rate, assessed valuation, name of company, reason for objection, and date of filing. Arr. by date of filing. No index. Hdw. on pr. fm. 10 1/2 x 5 x 14. Co. clk.'s off., 2nd fl.

234. (TAX OBJECTIONS), 1918--. 3 f.b. (33, 64, 499)
Original tax objections filed with the board of review, showing name of complainant, date of complaint, description of property, and reasons for objection. Arr. alph. by name of complainant. No index. Hdw. on pr. fm. 10 1/2 x 4 1/2 x 14. Co. clk.'s off., 2nd fl.

235. BOARD OF REVIEW DOCKET (Record), 1926--. 4 v.
Record of proceedings of board of review, showing date of meeting, names of members of board present, notice to property owners to appear before board, and action taken on complaint against taxes. Arr. by date of meeting. Indexed alph. by name of complainant. Hdw. under pr. hdgs. 250 p. 16 x 18 x 2. 3 v., 1926-36, co. clk.'s vlt., 1st fl.; 1 v., 1937--, treas.'s off., 2nd fl.

6. L. 1898, p. 46-49; L. 1915, p. 566-70; L. 1919, p. 727; L. 1923, p. 496-502; L. 1930, Sp. Sess., p. 85-90; L. 1931-32, First Sp. Sess., p. 70,71,75-78; L. 1935, p. 1163-66; L. 1939, p. 929,930.
7. Ibid., p. 897.

(Next entry,236, p. 214)

XII. COLLECTOR

In Menard County there existed a separate office of county collector, filled by appointment by the county commissioners' court, from the organization of the county in 1839 to 1844,[1] when the sheriff, ex officio, became collector and has continued to act in that capacity to the present.[2] In 1853 it was provided that the county clerk deliver the tax books to the county collector, who upon the settlement of his accounts was to return them to the county clerk.[3] This provision was changed in 1872 by an act of the General Assembly which provided that the county collector should make an annual sworn statement to the county clerk, showing the total amount of each kind of tax collected, the amount received from each district collector, and the amount collected by himself.[4]

The county collector is bonded in an amount determined by the county board in addition to that bond required of him as sheriff.[5] Under statutory provisions, he collects taxes for the state, county, and other governmental agencies, and pays to the proper authorities the amount in his hands payable to them.[6] He also settles annually with the county board.[7] He prepares an annual list of delinquent property and files it with the county clerk,[8] advertises his intention of applying for judgment for sale of delinquent lands and lots,[9] and is required to attend, in person or by deputy, all tax sales resulting from this action.[10] The county clerk, in person or by deputy, is also required to attend all tax sales.[11] At such sales, the clerk and collector note and make entry of all tax sales and forfeitures to the state.[12]

1. L. 1839, p. 7. The sheriff was collector from 1819 to 1839. (L. 1819, p. 316).
2. L. 1843, p. 234; L. 1853, p. 99; L. 1871-72, p. 35.
3. L. 1853, p. 100,105.
4. L. 1871-72, p. 56,57; L. 1873-74, p. 56; L. 1930, First Sp. Sess., p. 66,67,
5. L. 1871-72, p. 36; L. 1931, p. 748; L. 1931-32, First Sp. Sess., p. 85,86; L. 1933-34, Third Sp. Sess., p. 225,226.
6. L. 1871-72, p. 56-59; L. 1933, p. 922; L. 1935, p. 1156,1213; L. 1935-36, Fourth Sp. Sess., p. 68,69.
7. L. 1871-72, p. 55; L. 1935, p. 1155,1156.
8. L. 1898, p. 51; L. 1931, p. 759.
9. L. 1871-72, p. 44; L. 1937, p. 1010.
10. L. 1871-72, p. 48; L. 1930, First Sp. Sess., p. 64.
11. L. 1871-72, p. 48.
12. Ibid.; L. 1933, p. 886.

The county collector is required to keep his record as collector of taxes separate from his records as sheriff. The records of the collector's office include duplicates of receipts issued to taxpayers, state auditor's and county clerk's certification of the collector's settlement with them, duplicates of the collector's reports, delinquent property records, and tax sale and forfeiture records.[13]

The compensation of county collector is fixed by law. In counties the size of Menard the commissions and fees are:

1. Three percent commission on money collected and paid over to the proper officer.
2. A fee of three cents per tract for making lists of delinquent real estate for the county clerk and a like fee for making lists for the printer.
3. A fee for selling lands and town lots amounting to ten cents for each tract and three cents collected in costs as a charge against each lot.[14]

For other taxation records, see entries 1, 41-60, 138, 231-235, 244,273.

Collection

236. (SHERIFF'S TAX RECORD), 1930--. 8 f.b. (I, K, L, O, T, 1930--; 3 not labeled, 1936).
Individual card record of taxable real estate and personal property, showing name of owner, description of property, amounts of general tax and special assessment, tax spread, rate, and total amount of assessment. Also contains (Deposit Slips for Tax Money), 1930-36, entry 239. Arr. by date of filing. No index. Hdw. on pr. fm. 4 1/2 x 4 1/2 x 10. Sh.'s off., 2nd fl.

237. SHERIFF'S LEDGER, 1898--. 8 v. (1, 2, 6 not labeled).
Sheriff's register of tax collections, showing date and amount of collection deposited and advanced to treasurer, and total collections. Arr. by date of collection. No index. Hdw. under pr. hdgs. 540 p. 18 x 13 x 3. V. 1, 2, 1898-1906, 4 not labeled, 1907-30, co. clk.'s vlt., 1st fl.; 2 v. not labeled, 1931--, sh.'s off., 2nd fl.

13. L. 1917, p. 664,665; L. 1930, First Sp. Sess., p. 60-62; L. 1935, p. 1149-58.
14. L. 1871-72, p. 437; L. 1877, p. 105.

238. (COLLECTOR'S DUPLICATES), 1857--. 40 f.b. (31, 92, 333-369, 515).
Tax collector's duplicate receipts for tax money paid to county treasurer, showing name of collector, amount of taxes collected, amount uncollected, date of receipt, and total amount paid to treasurer. Arr. by date of receipt. For index, see entry 40. Hdw. on pr. fm. 10 1/2 x 4 1/2 x 14. 37 f.b., 333-369, 1857-96, co. clk.'s vlt., 1st fl.; 3 f.b., 31, 92, 515, 1897--, co. clk.'s off., 2nd fl.

239. (DEPOSIT SLIPS FOR TAX MONEY), 1937--. 1 f.b. (K). 1930-36 in (Sheriff's Tax Record), entry 236.
Deposit slips for tax money, showing name of collector, and date and amount of deposit. Arr. by date of collection. No index. Hdw. 4 1/2 x 4 1/2 x 10. Sh.'s off., 2nd fl.

Settlement

240. (COLLECTORS' SETTLEMENT), 1850--. 9 f.b. (82, 157, 280, 283, 290, 292, 316, 323, 522).
Statements of settlements by district collectors for taxes collected, showing date and amount of tax collection, collectors' credits for uncollected taxes, and collectors' commissions. Arr. by date of statement. For index, see entry 40. Hdw. under pr. hdgs. 10 1/2 x 4 1/2 x 14. Co. clk.'s off., 2nd fl.

241. (COLLECTOR'S STATEMENTS), 1850--. 10 f.b. (82-88, 92-94).
Collector's original statements of tax collections, showing date, kind and amount of each tax collected, total amount collected, and amount paid to the county treasurer. Arr. by date of filing. No index. Hdw. under pr. hdgs. 9 x 5 x 14. 7 f.b., 82-88, 1850-89, co. clk.'s vlt., 1st fl.; 3 f.b., 92-94, 1890--, co. clk.'s off., 2nd fl.

242. COLLECTOR'S STATEMENTS, 1895--. 4 v. (1-3, 3).
Record of collector's settlement with county board of tax collections, showing itemized accounts of taxes collected on real and personal property, amount uncollected, tax spread, date of statement, and amount turned over to county treasurer. Arr. by date of filing. No index. Hdw. under pr. hdgs. 320 p. 18 x 13 x 3. V. 1, 2, 1895-1924, co. clk.'s vlt., 1st fl.; v. 3, 3, 1925--, co. clk.'s off., 2nd fl.

(Next entry 243, p. 217)

XIII. TREASURER

In Menard County the treasurer has been an elective official since its organization in 1839;[1] at that time the term of office was four years.[2] Later it was reduced to two years,[3] which was continued by the Constitution of 1870,[4] however, the constitution was amended in November 1880, lengthening the term again to four years.[5] This amendment also made the county treasurer ineligible for reelection to the office until four years after the expiration of his term.[6] He is commissioned by the Governor,[7] and the penal sum of his bond and his securities are passed upon by the county board,[8] and the bond is filed in the office of the county clerk. The treasurer is allowed for compensation in counties the size of Menard one percent for receiving and one percent for paying out all moneys, county orders and jury certificates received and paid out by him.[9] Upon request of the treasurer, the county board designates the bank in which the public funds are to be deposited.

In the performance of his duties, the treasurer receives the revenue of the county, has custody of its funds, and disburses them in accordance with orders of the county board or specific authorization by law. He is required to keep books of accounts of all funds received and disbursed by him, to maintain a register of county orders countersigned and paid, to report annually to the county board on the financial transactions of his office, and to settle his accounts with the board semiannually.[10] The last two requirements give rise to a number of segregated records of accounts beyond strict statutory requirements. In addition, reports are made to the treasurer by other county, district, public, and semipublic authorities in the process of transacting business with him; and finally, a large number of records arise from the requirement

1. L. 1837, p. 49.
2. Ibid., p. 274.
3. L. 1845, p. 28; L. 1851, p. 144.
4. Art. X, Sec. 8.
5. Ibid., as amended November 1880.
6. Ibid.
7. L. 1837, p. 49, 274.
8. R.L. 1827, p. 329; R.S. 1874, p. 323.
9. L. 1933, p. 618; L. 1935-36, Second Sp. Sess., p. 72.
10. L. 1837, p. 194,195; L. 1843, p. 161; R.S. 1845, p. 137-39; L. 1861, p. 239,240; R.S. 1874, p. 323,324.

for collectors of taxes to settle their accounts with the treasurer.[11]

The treasurer acts, ex officio, as treasurer of the special drainage district.[12]

General Accounts

Registers and Ledgers

243. TREASURER'S APPROPRIATION LEDGER, 1926--. 1 box (1926-32); 1 v. (1933--).

Treasurer's ledger of appropriations, showing name of fund, amount of disbursement, and balance available in each fund; these funds include those of teachers' institute, dog license, mothers' pension, birth and death warrants and witness fees. Also contains Receipt and Disbursement Record, entry 244. Arr. by date of entry. Indexed alph. by name of fund. Hdw. under pr. hdgs. Box 12 x 12 x 15; v. 125 p. 12 x 10 x 2. 1 box, 1926-32, co. clk.'s vlt., 1st fl.; 1 v., 1933--, treas.'s off., 2nd fl.

244. RECEIPT AND DISBURSEMENT RECORD, 1871-1925. 9 v. (A-I). 1926-- in Treasurer's Appropriation Ledger, entry 243.

Treasurer's accounts of receipts and expenditures, showing date, amount, and source of receipt, name of fund, amount and purpose of disbursement, and balance available. This record includes: birth and death report warrants, 1903-25; mothers' pension fund, 1913-25; sheep claims; witness fees, 1883-1925; treasurer's settlement with collector of taxes; and record of errors in tax assessments. Arr. by date of receipt. Indexed alph. by name of fund. Hdw. under pr. hdgs. 480 p. 16 x 12 x 2 1/2. Treas.'s off., 2nd fl.

County Orders

245. SPARROW BOUNTY ORDERS, 1892--. 1 f.b., 1 v. Last entry 1901.

Copies of sparrow bounty orders, showing name and address of claimant, number of sparrows killed, order number, and date and amount of payment. Arr. by date of payment. No index. 1892-1900, hdw. on pr. fm.; 1901--, hdw. under pr.

11. R.L. 1827, p. 330-33; L. 1839, p. 8-10; L. 1845, p. 11; L. 1895, p. 304; L. 1913, p. 516; L. 1933, p. 898.
12. L. 1885, p. 78,104.

hdgs. F.b. 10 x 4 1/2 x 14; v. 100 p. 18 x 12 x 1 1/2. Co. clk.'s vlt., 1st fl.

246. DISBURSEMENT REGISTER (Register of County Orders), 1926--. 3 v.
Register of county warrants, showing date, warrant number, names of fund and recipient, and amount of payment. This register also shows a daily balance record from 1933--. Arr. by warrant no. No index. Hdw. under pr. hdgs. 300 p. 18 x 14 x 3. Treas.'s off., 2nd fl.

247. CANCELLED WARRANTS, 1927--. 3 v.
Register of county warrants cancelled, showing date, amount, number and purpose of warrant, name of recipient, and date of cancellation. Arr. by warrant no. No index. Hdw. under pr. hdgs. 75 p. 15 x 13 x 1. Treas.'s off., 2nd fl.

Special Accounts

School (See also entry 243)

248. NON-HIGH SCHOOL FUND, 1918--. 2 v. (1, 2). Missing: 1927-32.
Accounts of non-high school receipts and expenditures, showing dates and amounts of tax levy, receipts and expenditures, totals, and balance available. Arr. by date of levy. Indexed alph. by name of twp. Hdw. under pr. hdgs. 225 p. 18 x 14 x 2. Treas.'s off., 2nd fl.

Probate

249. TREASURER'S ACCOUNT WITH NON-RESIDENTS, 1885--. 2 v. (A, B).
Register of funds due unknown heirs of estates, showing names of estate, administrative officer, and heirs, date and amount received from estate, date of notice to heirs, amount paid to legal heirs, and balance available. Arr. by date of notice. No index. Hdw. under pr. hdgs. 150 p. 16 x 11 x 1. Treas.'s off., 2nd fl.

Inheritance Tax

250. (INHERITANCE TAX RECORD), 1914--. 2 v. (G, 1 not labeled).
Record of inheritance taxes levied and collected, showing names of estate and heirs, valuation of estate, rate of tax, total tax, date and amount of collection, and amount

of fees, commissions, and expenses. Arr. by date of levy. Indexed alph. by name of estate. Hdw. on pr. fm. 251 p. 16 x 12 x 3. Treas.'s off., 2nd fl.

Highway

251. RECEIPT BOOK (State-Aid Roads And Motor Fuel Tax), 1932--. 2 v.
Register of moneys received from state-aid, and motor fuel tax funds, showing names of county and fund, receipt number, explanation, date, amount, and source of receipts, and remarks. Arr. by receipt no. No index. Hdw. under pr. hdgs. 50 p. 16 x 12 x 1. Treas.'s off., 2nd fl.

252. STATE-AID ROAD AND MOTOR FUEL TAX DISBURSEMENT RECORD, 1934--. 4 v.
Register of state-aid and motor fuel tax warrants, showing names of fund and recipient, warrant and claim number, date, amount, and purpose of warrant, and total warrants issued. Arr. by name of fund. No index. Hdw. under pr. hdgs. 150 p. 12 x 14 x 1 1/2. Treas.'s off., 2nd fl.

Receipts, Checks, and Bank Statements

253. (RECEIPTS AND DEPOSIT SLIPS), 1933--. 7 f.b.
Duplicate receipts and deposit slips showing names of fund and payer or bank, dates and amounts of receipts and deposits, and signature of treasurer. Arr. by date of receipt or deposit. No index. Hdw. on pr. fm. 6 x 4 x 10. Treas.'s off., 2nd fl.

254. OUTSTANDING CHECKS, 1926--. 2 v.
Lists of outstanding checks, showing date and number of check, name of recipient, and amount outstanding. Arr. by check no. No index. Hdw. on pr. fm. 76 p. 12 x 10 x 1. Treas.'s off., 2nd fl.

(Next entry 255, p. 222)

XIV. SUPERINTENDENT OF SCHOOLS

The first county school official in Menard County was the county school commissioner.[1] The principal duties of this officer, an appointee of the county commissioners' court, centered around the sale of school lands. His reports of these sales were made to the county commissioners' court and recorded by its clerk in a well-bound book kept for that purpose.[2] The school commissioner also reported to the county commissioners' court on his other transactions in regard to the school fund.[3] His office became elective in 1841.[4] In 1845 the county school commissioner became, ex officio, superintendent of schools.[5] For his duties while serving ex officio as superintendent of schools, the commissioner received additional compensation for the days actually engaged in the performance of these duties.[6] In 1865 the office of county superintendent of schools was established as an independent office, and had delegated to it the authority formerly vested in the county school commissioner.[7]

The superintendent of schools is now elected for a term of four years.[8] Before entering upon his duties he must take and subscribe to an oath and execute a bond in the penal sum of not less than $12,000 to be approved by the county board or by the judge and clerk of the county court.[9] In counties the size of Menard the superintendent's salary is $2,700 a year, payable monthly out of the state school fund. However, the county board may allow additional compensation payable quarterly out of the county treasury.[10] The superintendent's office serves as the central school administrative agency for the county. One or more of the several congressional townships comprise the several school districts. Within these administrative units are elected boards of trustees who have executive and financial responsibilities which come under

1. R.L. 1829, p. 150,151.
2. Ibid., p. 152,153.
3. L. 1831, p. 175.
4. L. 1841, p. 261,262.
5. L. 1845, p. 54.
6. L. 1849, p. 178.
7. L. 1865, p. 112; L. 1871-72, p. 702; L. 1889, p. 312; L. 1909, p. 343.
8. L. 1871-72, p. 702; L. 1909, p. 343; L. 1915, p. 628; L. 1923, p. 596.
9. L. 1909, p. 345.
10. L. 1935, p. 871.

the supervision of the county superintendent.[11] The boards of trustees appoint their own treasurers who also act as clerks of the township (or school district) boards.[12]

The superintendent makes quarterly and annual reports to the county board and also reports to the State Superintendent of Public Instruction, the State Department of Public Health, the state fire marshal, and the state architect. His original duties are the following:

1. To sell township fund lands and issue certificates of purchase.
2. To examine the complete accounts of every township treasurer in his county and report irregularities to the township trustees.
3. To conduct a teachers' institute, hold quarterly examinations for teachers' certificates, and issue such.
4. To hold examinations for normal and university scholarships.
5. To visit the public schools in the county, observe methods of instruction, make recommendations to teachers, and advise school officers; to observe sanitary and safety conditions, and notify trustees and state authorities of unsatisfactory conditions; to inspect plans and specifications, and approve those meeting state regulations.[13]

A noteworthy undertaking of the superintendent of schools is the annual teachers' institute. Pioneer legislation of 1869 provided that the school directors were to allow school teachers to attend the teachers' institute in their county without the loss of time or pay.[14] Twenty years later, the superintendent of schools was required to hold the institute annually.[15] A fund was set up for this purpose which has continued to be made up of the fees received from applicants for teachers' certificates and from teachers' registration. Money from the fund is paid out only on the order of the superintendent

11. L. 1847, p. 126; L. 1909, p. 350; L. 1929, p. 745.
12. L. 1927, p. 843; L. 1929, p. 745.
13. R.S. 1845, p. 498,499; L. 1847, p. 122; L. 1849, p. 1156; L. 1853, p. 246,247; L. 1855, p. 66,67; L. 1861, p. 190,191; L. 1865, p. 119,120; L. 1909, p. 347-50; L. 1915, p. 636-38.
14. L. 1869, p. 394.
15. L. 1889, p. 312.

to defray the expenses of the annual institute. When the fund exceeds the annual cost of the institute, the excess may be paid out for special meetings of teachers.[16]

All of the records of the county superintendent of schools are kept in his office on the first floor of the county building.

Accounts of School Funds

255. RECORD OF SCHOOL LOANS, 1870--. 29 f.b. (2-30)
Record of loans from school funds, showing date of entry, names of principals, date, amount and term of note, and kind of security. Arr. by date of entry. No index. Hdw. under pr. hdgs. 9 x 5 x 4.

256. (ANNUAL ACCOUNT OF SCHOOL FUNDS), 1840-1914. 2 v.
County superintendent's annual account of school funds, showing total amount allocated to each district, date, amount and purpose of receipts and expenditures, total receipts and expenditures, and balance available. Arr. by date of entry. No index. Hdw. 200 p. 12 x 8 x 1.

257. STATE TEACHERS' PENSION AND RETIREMENT FUND RECORD, 1916--. 1 v.
Record of state teachers' pension and retirement fund, showing name and address of teacher, amount contributed each month for school term, and total amount contributed to date, and remarks. Arr. alph. by name of teacher. No index. Hdw. on pr. fm. 480 p. 13 x 9 x 3.

258. CLAIMS FOR STATE AID, 1924--. 1 f.d.
Claims for state aid for schools including state distributive funds, showing number and name of school district, names of teachers, financial statement of district, general information, and budget. Arr. by date of filing. No index. Hdw. on pr. fm. 24 x 11 x 12.

School Districts

259. RECORD OF SCHOOL DISTRICT, 1850--. 2 v.
School district record showing township, range number, enrollment, district name and number, amount of money received by each district from county and distributive funds, date and amount of expenditures, total amount received and

16. L. 1905, p. 385; L. 1931, p. 876.

expended, and balance available. Arr. by date of entry. No index. Hdw. on pr. fm. 350 p. 13 x 9 x 2.

260. MENARD COUNTY SCHOOL DISTRICTS, 1874--. 24 maps.
Political maps of school districts in Menard County, showing name, number, location, boundaries and legal description of school districts, date of filing, location of school property and township, and range and section numbers. Chicago, Illinois: Culver, Page, Hoyne and Company, publisher. Engraved. 12 x 12.

261. NON-HIGH SCHOOL RECORD, 1917--. 1 v.
Record of non-high school districts, showing description of school district, proceedings, rules and regulations of board, financial accounts, names of high school tuition pupils and school attended, date and amount of tuition paid, record of election of board members, tax levies and collections, total receipts and expenditures, and balance on hand. Arr. by date of meeting. Indexed alph. by title of subject. Hdw. 150 p. 16 x 11 x 2.

Teacher's Records

262. SUPERINTENDENT'S RECORD (Record of Teachers' Examinations), 1881--. 1 v.
Register of persons qualifying for teacher's certificate, showing name, age, address and nativity of applicant, date examination held, subjects examined in, grades earned, date, and number and kind of certificate issued. Arr. by date of examination. No index. Hdw. under pr. hdgs. 195 p. 12 x 10 x 2.

263. JOURNAL (Institute), 1889--. 2 v.
Record of teachers' institutes, showing number, name and address of teacher, name and number of school district employing teacher, number of months taught, hours attendance at institute, and date of recording. Arr. by date of recording. No index. Hdw. 204 p. 14 x 9 1/2 x 1.

264. CERTIFICATE RECORD, 1912--. 1 f.d.
List of teachers' certificates, showing name, age, date, and place of birth, legal and school address of teacher, experience, salary, date, number and kind of certificate, and reference from last teaching position. Arr. alph. by name of teacher. No index. Hdw. on pr. fm. 11 x 12 x 24.

265. ILLINOIS TEACHERS' PROFESSIONAL AND SERVICE RECORD, 1912--. 1 f.d.
Record of teachers' educational qualifications and experi-

ence, showing name and address of teacher, educational qualifications, name of institution conferring degree, monthly salary, number of years teaching experience, and amount contributed to teachers' pension and retirement fund. Arr. alph. by name of teacher. No index. Hdw. on pr. fm. 11 x 12 x 24.

266. TEACHERS' PERMANENT RECORD, 1914--. 4 v.
Teachers' permanent record showing name, age and address of teacher, grade, number of certificate, school attended, salary, subject, grade taught, teaching experience, and amount contributed to teachers' pension and retirement fund. Arr. alph. by name of teacher. No index. Hdw. 340 p. 16 1/2 x 10 1/2 x 2.

267. TEACHERS' PENSION LIST, 1916--. 1 f.d.
Lists of teachers contributing to teachers' pension fund, showing name and address of teacher, name of school, clerk of board, date of filing, date and amount of payment, acknowledgment, and school district number. Arr. by date of filing. No index. Hdw. on pr. fm. 24 x 11 x 12.

268. REGISTRATION OF TEACHERS' CERTIFICATES, 1918--. 2 bdl.
Stub record of fees collected for registration of teachers' certificates, showing name and address of teacher, date, amount of registration fee, and signature of person receiving fee. Arr. by date of receipt. No index. Hdw. on pr. fm. 8 x 4 x 6.

Pupil Records

269. RECORD OF FINAL EXAMINATIONS, 1881--. 7 v.
Title varies: Superintendents Examination Record, 4 v., 1881-1910.
Lists of eighth grade graduates of county schools, showing names and addresses of teacher, graduate and parents or guardian, age and grades attained by pupil, date diploma issued, general average in each subject, and name and number of school district. Arr. by school district no. No index. Hdw. and typed. 150 - 200 p. 16 x 11 x 1 - 14 x 10 x 1 1/2.

270. (CLASSIFICATION OF PUPILS), 1899--. 4 v.
Missing: 1911-18.
Record of classification and advancement of pupils, showing name and age of pupil, grade pursued, grades earned, course of study, attendance record, date, and advancement. Arr. by date of filing. No index. Hdw. 210 - 225 p.

17 1/2 x 12 x 1 1/2 - 18 x 10 x 1 1/2.

271. TEACHERS' DAILY REGISTER, 1908--. 2 v. (9, 9). Register of pupils daily attendance reported by teacher, showing names of pupils and school district number, date of report, number of district, and days of attendance and absence during school term. Arr. by school dist. no. No index. Hdw. 110 p. 11 1/2 x 9 1/2 x 1/2.

272. TRUANCY RECORD, 1918--. 2 v.
County truant officer's record of truants, showing names and addresses of truant and parent or guardian, date of report, grade of school, number of days absent, by whom reported, and remarks. Arr. by date of report. Indexed alph. by name of pupil. Hdw. on pr. fm. 245 p. 18 x 16 1/2 x 1 1/2.

Reports

273. ANNUAL REPORT OF COUNTY SUPERINTENDENT OF SCHOOLS, 1869--. 69 v.
Annual reports of superintendent of schools, showing school census, enrollments, promotion of health and attendance, tax levies, annual salaries of teachers, district, distributive, and township fund records, receipts and expenditures, tuitions paid, exhibits, investments, general and financial reports, number of one-room schools, and memoranda. Arr. by date of report. No index. Hdw. on pr. fm. 39 p. 14 x 10 x 1/2.

274. TOWNSHIP TREASURERS' FINANCIAL REPORT, 1870--. 30 f.b. (1-30).
Annual reports of treasurers of school funds, showing names of town and treasurer, date of filing, range, township, and school district numbers, value of school property, statement of loans and securities, itemized list of receipts and expenditures, cash available, and acknowledgment. Arr. by date of filing. No index. Hdw. on pr. fm. 5 x 4 1/2 x 9.

275. TRUSTEES' ANNUAL REPORTS, 1870--. 29 f.b. (2-30).
Annual reports of school trustees, showing names of school, trustee, teacher, and township treasurer, dates of report and filing, school census, elementary and secondary enrollments, qualifications, salaries of teachers, number of days of attendance, value of school property, health promotion, income from taxes and other sources, and account of expenditures. Arr. by date of filing. No index. Hdw. on pr. fm. 5 x 4 x 9.

276. (BIMONTHLY REPORT), 1920--. 3 v.
Bimonthly report of county teachers, showing names and ages of pupils, grade of work, district name and number, general average, number of days attendance and absence, and signature of teacher. Arr. by date of report. No index. Hdw. 550 p. 15 x 9 x 4.

Registers of School Officers

277. COUNTY SUPERINTENDENT OF SCHOOLS LIST OF SCHOOL OFFICERS, 1930--. 1 f.d.
Lists of school officers, showing township and range numbers, name and number of school district, name and address of school officer, title of office, and date of expiration of term of office. Arr. by date of filing. No index. Hdw. on pr. fm. 24 x 11 x 12.

School Treasurers' Bonds

278. TOWNSHIP SCHOOL TREASURERS' BONDS, 1890--. 1 f.d.
Township school treasurers' bonds showing names of principal, county and township, date, amount and obligations of bond, date of filing, and signatures of trustees, sureties, and superintendent of schools, and acknowledgment. Arr. by date of filing. No index. Hdw. on pr. fm. 11 x 12 x 24.

(Next entry 279, p. 229)

XV. SUPERINTENDENT OF HIGHWAYS

From 1839 to 1849 the county commissioners' court exercised jurisdiction over roads and bridges in Menard County.[1] The court was empowered to locate new roads, to alter or vacate old roads, to divide the county into road districts, and to appoint a supervisor in each district.[2] The construction and maintenance of roads were effected by means of a labor tax levied on all able-bodied men between the ages of eighteen and fifty,[3] but in 1841 it was changed to twenty-one to fifty.[4] It was the duty of the supervisors to summon these men for work when road labor was needed.[5]

From 1849 to 1874 the county court in Menard County had control and supervision of public roads and bridges.[6] The substitution of this administrative body for the old county commissioners' court effected no material changes in the earlier set up. The system of road districts was retained and the work of superintending road construction and maintenance continued to be vested in district supervisors until 1872. In that year the county board was authorized to appoint three commissioners of highways[7] for each road district to serve until 1873 when an election of new officers was to be held. These commissioners of highways, who replaced the district supervisors, were in direct charge of the care and maintenance of roads when a new type of county board provided for by the Constitution of 1870[8] assumed office in 1874. This new board consisted of three county commissioners, and the first board was elected November 4, 1873. It had been given the same power of supervision of highways, roads and bridges as had been exercised by the county court,[9] but the commissioners of highways had the power to enter into contracts and to sue and be sued in their own name.[10] They were required to establish new roads and to repair, alter or vacate old

1. L. 1819, p. 175; R.L. 1827, p. 340.
2. L. 1819, p. 333; L. 1825, p. 130; R.L. 1827, p. 340,344.
3. L. 1819, p. 334; R.L. 1827, p. 341,342.
4. L. 1841, p. 237.
5. L. 1819, p. 334; R.L. 1827, p. 341,342; L. 1841, p. 238; L. 1847, p. 112.
6. L. 1849, p. 65; L. 1851, p. 179.
7. L. 1871-72, p. 679,680.
8. Art. X, Sec. 6.
9. L. 1873-74, p. 79.
10. L. 1871-72, p. 680.

roads and bridges; to collect all fines and commutation money; to assess and collect poll tax; and to render to the county board an annual account of collections and disbursements.[11] This system of road control and maintenance continued until 1913; in that year the office of superintendent of highways was first established.[12] The boards of highway commissioners which existed prior to that date have continued to function, but their powers are principally subordinated to those of the superintendent of highways.[13]

The superintendent is appointed by the county board. The board submits a list of three to five candidates to the State Department of Public Works and Buildings, which department examines the candidates to determine the person best fitted for the office.[14] The successful candidate holds office for six years and is remunerated in a sum fixed by the county board.

The powers and duties of the superintendent of highways come under the rules and regulations of the Department of Public Works and Buildings. However, the superintendent is subject, upon hearing, to removal by the county board. The superintendent exercises supervision over district, county, and state-aid roads, and bridges and culverts in this county, and is required to perform such duties as may be prescribed by the chief highway engineer of the state.[15]

His principal duties are as follows:

1. To prepare plans, specifications, and estimates for all bridges to be built by the county.
2. To supervise the construction and maintenance of county roads and bridges, and state-aid roads.
3. To inspect the highways and bridges in each town or district of his county at least once a year.
4. To advise and direct the highway commissioners

11. L. 1871-72, p. 681-83.
12. L. 1913, p. 524.
13. L. 1933, p. 961,962.
14. L. 1921, p. 781; L. 1933, p. 961. From 1913 to 1917 the list was submitted to the State Highway Commission (L. 1913, p. 524). In 1917 this state agency was abolished, and its rights, powers, and duties were vested in the Department of Public Works and Buildings, created in the same year (L. 1917, p. 4,16,24).
15. L. 1921, p. 782; L. 1933, p. 961.

in each town or district as to the best methods of repair, maintenance, and improvement of highways and bridges.
5. To approve any purchase in excess of $200 for materials, machinery, or apparatus to be used in road construction in any town or district.[16]

He is required to keep the following records:

1. Records of contracts, purchases, and expenditures authorized by himself, the county board, or township commissioners.
2. Maps, plats, blueprints, specifications, etc., arising from his supervision of roads and bridges, or the planning of new construction.
3. Accounts of the funds handled by his office.
4. Reports from other officers or bodies touching upon the affairs of his office; copies of his own reports on the administration of his office; related papers.[17]

All of the records of the superintendent of highways (except entry 285) are in his office on the first floor of the county building.

Commissioners Records

279. COUNTY CONTRACTS (Files), 1925--. 4 f.d.
Contracts for road improvements, showing notice to contractors, special provisions, proposals, amounts of contracts and bond, description of improvement, dates of notice and contract, and signatures of chairman of board of commissioners and contractor. Arr. by date of contract. No index. Hdw. on pr. fm. 18 x 17 x 11 1/2.

Construction and Maintenance Records

280. MAINTENANCE DAILY LABOR AND MATERIAL REPORT, 1932--. 1 f.b.
Reports of highway patrolmen to county superintendent of highways on maintenance, showing date, number of hours of labor, amount of material used, name of patrolmen, nature of work done, and location of state-aid route. Arr. by date of report. No index. Hdw. under pr. hdgs. 5 x 6 1/2 x 17.

16. L. 1913, p. 523-26.
17. Ibid., p. 525.

281. CONTRACT CONSTRUCTION LEDGER, 1932--. 1 v. 1913-31 in County Commissioners' Record, entry 2.

Account ledger of highway construction contracts, showing name of contractor, date and amount of appropriation, cost summary, fund distribution, section and claim numbers, date work started, date of completion, and amount of refund to state; also contains a ledger of day labor construction costs. Arr. by date of contract. No index. Hdw. under pr. hdgs. 100 p. 18 x 12 x 1.

Allotments and Claims

282. COUNTY MOTOR FUEL TAX ALLOTMENT RECORD, 1932--. 1 v.

Record of motor fuel tax allotments, showing date and amount requested by county board, claim and receipt numbers, explanation, amount of receipts and disbursements, and balance available. Arr. by receipt no. Indexed alph. by name of fund. Hdw. under pr. hdgs. 50 p. 13 x 10 x 1.

283. (MOTOR FUEL TAX CLAIMS), 1932--. 5 f.b.

Claims allowed from motor fuel tax fund, showing claim number, name of claimant, nature of claim, and date and amount of allowance. Arr. by claim no. No index. Hdw. on pr. fm. 12 x 5 1/2 x 18.

284. COUNTY SUPERINTENDENT OF HIGHWAYS CLAIM REGISTER, 1932--. 1 v.

Register of highway claims, showing date, claim, purchase order or requisition numbers, name and address of claimant, itemized account of claim, and total amount of payment. Arr. by claim no. Indexed alph. by name of fund. Hdw. under pr. hdgs. 100 p. 18 x 12 x 1.

Warrants

285. COUNTY HIGHWAY WARRANT REGISTER, 1932--. 1 v.

Register of highway warrants issued, showing date, amount, number, and purpose of warrant, claim number, name of payee, total warrants issued, and date of cancellation. Arr. by date of warrant. No index. Hdw. under pr. hdgs. 120 p. 16 x 14 x 2. Treas.'s off., 2nd fl.

Reports

286. ROAD COMMISSIONERS' MONTHLY REPORT, 1925--. 1 f.b.

Reports of road commissioners to county board, showing

work done by districts, materials used, and costs for materials and labor. Arr. by date of report. No index. Hdw. on pr. fm. 15 1/2 x 11 1/2 x 19.

287. DAY LABOR CONSTRUCTION AND DAILY DISTRIBUTION OF LABOR, 1932--. 1 f.b.
Reports of foreman of construction to the superintendent of highways, showing date, names of employees, foreman, and project, number of hours of labor, rate of pay, material cost of distribution, and type of work performed. Arr. by date of report. No index. Hdw. under pr. hdgs. 8 1/2 x 8 1/2 x 17.

288. COUNTY TREASURER'S MONTHLY REPORT ON CONDITIONS OF HIGHWAY FUNDS, 1932--. 2 v.
Treasurer's monthly reports on highway funds, showing date, deposit for month, sub-total less warrants cancelled, balance exclusive of outstanding warrants, and fund surplus or deficit. Arr. by date of report. No index. Hdw. under pr. hdgs. 75 p. 12 x 10 x 1.

Surveys

289. ROAD RECORD OF MENARD COUNTY, 1839--. 1 v. (1).
Record of all roads in Menard County, showing dimensions, location of road, and date of survey. Arr. by date of survey. No index. Typed. 600 p. 18 x 13 x 3.

290. SURVEYOR'S PLATS, 1854--. 1 v.
Surveyor's plat record of all lands in Menard County, showing legal description of property, locations of corner-stones and witness trees, date of survey and remarks. Petersburg, Illinois: county surveyor, draftsman. Arr. by date of survey. No index. Hand-drawn. 2 in. to 1 mi. 200 p. 24 x 24.

Correspondence

291. BILLS AND CORRESPONDENCE, 1925--. 1 f.b.
Miscellaneous bills and correspondence to and from superintendent of highways, pertaining to construction and maintenance of county highway and state-aid roads. Arr. by date of filing. No index. Hdw., typed, and hdw. on pr. fm. 15 1/2 x 11 1/2 x 19.

(Next entry 292, p. 233)

XVI. SURVEYOR

The office of surveyor was first established in Illinois in 1821; the incumbent was an appointee of the General Assembly.[1] During the recess of the legislature, nominations were made by the county commissioners' court to the Governor.[2] From 1835 to 1936, the county surveyor was an elected officer of the county electorate.[3] Since September 1936 he has been an appointee of the county board.[4] His appointment is for a four-year term. He takes and subscribes to an oath which is filed in the county clerk's office. The compensation of the surveyor is $6 per day and when testing scales a reasonable sum is allowed for cost of transporting apparatus for making the test.[5]

The surveyor is required by law to make all surveys within the bounds of his county that he may be called upon to make by the county board or interested persons. Such surveys include surveys of lands of persons requesting the same, of additions or subdivisions, and marking of county lines. Few changes have been made in the original statutory requirements for the duties of this office. The surveyor may appoint one or more deputies. Any individual requesting a survey must employ his own chainmen subject to the approval of the surveyor.

The surveyor is required by law to keep a well-bound book in which to record all surveys made by him, giving such information as the names of the persons whose land is surveyed and descriptive data of the survey. This record is required to be kept by the surveyor in the recorder's office. The surveyor also preserves his field notes and retains copies of plats.[6]

For other records of surveyor, see entries 289,290.

1. L. 1821, p. 62; R.L. 1829, p. 172; R.L. 1833, p. 591.
2. Ibid.
3. L. 1835, p. 61,166; R.S. 1845, p. 523; R.S. 1874, p. 456,1050; L. 1903, p. 349.
4. L. 1933, p. 1104. Effective in 1936.
5. L. 1871-72, p. 438.
6. L. 1821, p. 63,64; R.L. 1829, p. 173; R.L. 1833, p. 591-93,599,600; L. 1845, p. 201; R.S. 1845, p. 524; R.S. 1874, p. 1050; L. 1885, p. 248; L. 1915, p. 575; L. 1933, p. 1104.

292. CORNER STONE RECORDS, 1936. 1 v.
Record of corner stones as compiled by WPA project for the surveyor, showing township, section, and range numbers, and locations of corner stones and witness trees. Arr. by twp., sec., and range nos. No index. Printed. 500 p. 14 x 12 x 2. Cir. clk.'s off., 2nd fl.

(Next entry 293, p. 238)

XVII. DRAINAGE COMMISSIONERS

For the purpose of protecting public welfare and health the Constitution of 1870, as amended November 29, 1878, gives the General Assembly ample power to provide laws regulating drainage.[1] Drainage districts are quasi-public corporations[2] and are charged with certain governmental functions in the reclamation of land and improvement of sanitation. The corporate authorities of the drainage districts have power to acquire rights of way,[3] borrow money,[4] issue bonds,[5] assess damages,[6] locate, construct, and maintain drains, ditches, and levees for agricultural, sanitary, or mining purposes,[7] and levy assessments on the property benefited.[8]

Whenever a majority of the owners of lands within a district proposed to be organized, who are of lawful age and represent one third in area of said lands, or one third of such owners representing a major portion in area of said lands, desire to construct a drain, ditch or levee or other work known as "drainage or levee work", they may file a petition in the county court with such particulars as are required by statute and ask for the organization of a drainage district.[9] In union districts the petition may be filed with the clerk of the town in which the greater part of the district lies.[10]

When the costs of any proposed drain, ditch, levee or other work authorized by the drainage act, will not exceed the sum of $2,000, the petition may, if the petitioners shall so elect, be filed with a justice of the peace in the county where the land to be affected or the major part of it is situated; and the assessment of damages and benefits shall be conducted before such justice in the same

1. Const. 1870, Art. IV, Sec. 31.
2. Turner v. Hunt Drainage District (U.S.C.C.A.Ill.), 87 Federal Reports (2nd ed.) 167.
3. L. 1885, p. 83,84.
4. L. 1879, p. 131,132; L. 1895, p. 76,125; L. 1913, p. 266,267; L. 1929, p. 378; L. 1933, p. 509,510.
5. L. 1885, p. 76; L. 1895, p. 162; L. 1917, p. 433,434.
6. L. 1879, p. 126; L. 1909, p. 187; L. 1913, p. 263,264.
7. L. 1885, p. 79,80.
8. Ibid., p. 62,84-86; L. 1891, p. 102; L. 1919, p.446, 447; L. 1925, p. 365,366.
9. L. 1879, p. 120,121; L. 1885, p. 78,93-95,110-15; L. 1907, p. 275,276; L. 1913, p. 261.
10. L. 1885, p. 93.

manner, as near as may be, as cases commenced by petition before a county court.[11]

If the court grants the petition, it enters an order to that effect and appoints three commissioners to examine and survey the proposed lands. When they have completed their work, the commissioners make a report to the court with recommendations and copies of the surveys, maps, plats, and estimates.[12] Districts are of three kinds: regular, which is composed of property lying in a single town; union, where the lands organized lie in two towns; and special, with three or more towns involved.[13] It is in the last named in which the commissioners may be elected and the county clerk of the county in which proceedings are instituted is clerk ex officio.[14]

After the commissioners' report on a proposed district has been made the court completes the organization by modifying or confirming this report after all interested parties have had an opportunity to be heard.[15] Appeals or writs of error are allowed to the Supreme Court,[16] but an appeal by one or more persons does not operate to defer confirmation in other cases.[17]

In regular and union districts, in counties under township organization, the supervisor of the town in which the district is situated shall be the treasurer of the district. When the district lies in two towns, the supervisor of one of the towns, to be designated by the commissioners, shall be the treasurer.[18] The county treasurer of the county in which the proceedings for the organization of a special drainage district are commenced and the district organized, is the collector and treasurer of such district.[19]

The corporate power[20] of regular districts is vested

11. L. 1885, p. 130.
12. L. 1879, p. 122,155; L. 1885, p. 78,93-95,110-15; L. 1907, p. 277,278; L. 1913, p. 262,263.
13. L. 1879, p. 155; L. 1885, p. 93,94,113.
14. Ibid., p. 95; L. 1919, p. 467; L. 1929, p. 390.
15. L. 1879, p. 124,125; L. 1885, p. 94,95.
16. L. 1909, p. 186,187; L. 1913, p. 262,263; L. 1933, p. 508,509; L. 1935, p. 766,767.
17. Ibid.
18. L. 1885, p. 78.
19. Ibid., p. 104.
20. Ibid., p. 112.

in three commissioners appointed by the county court;[21] and in union districts may be in three commissioners selected by the town clerk from the commissioners of highways of the two towns.[22] Such powers in special drainage districts may be exercised by three elected commissioners of the district.[23] In regular districts the commissioners appoint one of their number to act as secretary.[24] The town clerk is clerk of the drainage commissioners of all drainage districts lying wholly within his town and of all union drainage districts the major portion of which lies in his town.[25] Sanitary districts,[26] and river conservancy districts[27] may also be organized along similar lines. The commissioners receive $3 per day for time actually employed in the discharge of the duties of their office. However, in special districts they may be allowed their necessary traveling expenses.[28] Special drainage districts are maintained in Menard County.

The following records belong to the drainage commissioners:

1. Records of bonds issued.
2. Assessment books.
3. Petitions of owners of land to stay assessments, orders of commissioners thereon, and other proceedings.
4. State auditor's certificates of interest due on bonds.
5. Tax lists showing pro-rata share of levy for bond interest (union and special districts only).
6. Copies of reports to county court on conditions of district and estimated expenditures; and to county treasurer on delinquent lands; maps and plats, surveys and estimates; office transactions.[29]

The first two records are required to be kept in separate books, the next three generally are known as the "Drainage Record", and the remaining records are kept desultorily.

For record of proceedings of drainage district commissioners, see entry 138; for record of swamp land sales, see entry 139.

21. L. 1885, p. 121.
22. Ibid., p. 93.
23. L. 1879, p. 156; L. 1885, p. 95.
24. Ibid., p. 113.
25. L. 1915, p. 390.
26. L. 1907, p. 289; L. 1933, p. 515.
27. L. 1925, p. 346.
28. L. 1933, p. 506.
29. L. 1879, p. 120-34; L. 1885, p. 78-104.

(Next entry 293, p. 238)

XVIII. DEPARTMENT OF PUBLIC WELFARE

Matters relating to public assistance and welfare in the county are handled by the department of public welfare, which was established in 1937 as successor to the county commission of public welfare.[1] This department consists of the superintendent of public welfare and a staff selected by him in accordance with, and subject to, the approval of the State Department of Public Welfare.

The county board submits to the state department a list of five residents as candidates for the office of superintendent. An eligible list of these candidates is prepared by the state department by competitive examination and certified to the county board. The board in turn makes an order appointing one of the eligibles as superintendent of public welfare.[2] The salary of the superintendent of the department of public welfare is fixed by each General Assembly.[3]

The superintendent is charged with all the executive and administrative duties and responsibilities of the department of public welfare. He is subject to the rules and regulations of, and removal by, the state agency.[4]

This officer has power and it is his duty to:

1. Have charge and develop plans for the administration of old age assistance.
2. Investigate and study problems of assistance, correction, and general welfare within his county.
3. Cooperate with the State Department of Public Welfare in the operation of welfare plans and policies in his county.
4. Maintain such records and file such reports with the State Department of Public Welfare as that department may require.
5. Serve as agent and executive officer of the State Department of Public Welfare in the administration of all forms of public assistance administered by that department.[5]

All the records of the county department are subject

1. L. 1935-36, First Sp. Sess., p. 70-73; L. 1937, p. 451.
2. Ibid., p. 451,452.
3. Ibid., p. 149; L. 1939, p. 200.
4. L. 1937, p. 452.
5. L. 1935-36, First Sp. Sess., p. 72; L. 1937, p. 452.

to the inspection and supervision of the agents of this central authority.

Federal legislation was enacted in 1935 to provide for the general welfare by establishing a system of Federal old age benefits. In order to participate in the benefits of this act,[6] the several states were required to submit plans for old age assistance. Illinois passed legislation complying with this act the same year.[7] Today, the Federal government pays to Illinois, one half of the sums expended on old age assistance.

The department of public welfare administers old age assistance and is subject to the rules and regulations of the state department.[8] Upon receipt of an application the department makes an investigation of the case. In the course of the investigation the department is allowed to hold hearings and compel the attendance of witnesses and the production of papers and books.[9]

Old age assistance records and accounts are kept as prescribed by the state department. All applications and records in these matters are considered public records.[10]

293. ACTIVE CASES, 1936--. 1 f.d.
Case record of active old age assistance cases, showing date of application, case number, name, address, age, sex, and marital status of applicant, list of property owned, amounts of insurance and income, applicant's living expense for past twelve months, investigator's report, correspondence, and amount allowed. Arr. by case no. No index. Hdw. on pr. fm. 14 x 12 x 36. Old age assistance off., 1st fl.

294. REGISTER SHEETS, 1936--. 1 v.
Register of applications for old age assistance, showing name, address, and age of applicant, application number, number of years in county, state, and United States, marital status, list and value of property owned, notarized affidavit, and date of filing. Arr. by application no. Indexed alph. by name of applicant. Hdw. under pr. hdgs. 200 p. 17 x 12 x 2. Old age assistance off., 1st fl.

6. 49 U.S. Stat. 620.
7. L. 1935, p. 260.
8. Ibid., p. 259,260; L. 1935-36, First Sp. Sess., p. 54,55; L. 1937, p. 265.
9. L. 1935-36, First Sp. Sess., p. 57-59; L. 1937, p. 267,268.
10. Ibid., p. 268,269.

(Next entry 295, p. 240)

XIX. COUNTY HOME

One phase of public assistance is administered by the county home. All county poorhouses, poor farms, and institutions for the support and care of indigents in Illinois are known as county homes.[1] County poorhouses and farms have existed in this state under statutory provisions for nearly a century. The legislation creating these county establishments for the indigent has changed little since the original enactments. The county boards of the various counties may establish a county home, and are granted the following powers:

1. To acquire by purchase, grant, gift, or devise, a suitable tract or tracts upon which to erect and maintain a county poorhouse and other necessary buildings, and for the establishment and maintenance of a farm for the employment of the poor.
2. To receive gifts and bequests to aid in the erection and maintenance of the poorhouse, or in the care of the indigents.
3. To make rules and regulations for the same.
4. To appoint a keeper of the poorhouse and all necessary agents and servants for the management and control of the poorhouse and farm, and to prescribe their compensation and duties.
5. To appoint a county physician and prescribe his compensation and duties.
6. To appoint an agent to have the general supervision and charge of all matters in relation to the care and support of the poor, and to prescribe his compensation and duties.
7. To make the necessary appropriations for the creation and maintenance of the county home.[2]

Records of the county home are prepared and kept by the keeper (superintendent) of the home. He is required to keep an account showing the name of each person admitted to the county poorhouse, the time of his admission and discharge, the place of his birth, and the cause of his dependency. He is also required, at the same time each year, to file with the county clerk of his county a copy of this record together with a statement showing the

1. L. 1919, p. 699; L. 1935, p. 1058.
2. L. 1839, p. 139; R.S. 1845, p. 404,405; L. 1861, p. 180; R.S. 1874, p. 757; L. 1917, p. 638,639; L. 1919, p. 698,699; L. 1935, p. 1057,1058.

average number of persons kept in the poorhouse each month during the year.[3] The compensation of the superintendent is fixed by the county board.[4]

295. ALMSHOUSE REGISTER, 1879--. 1 v. (1). Register of inmates of county home, showing name and age of inmate, financial and personal particulars, dates of admission and discharge, and remarks. Arr. by date of admission. Indexed alph. by name of inmate. Hdw. under pr. hdgs. 100 p. 16 x 14 x 1 1/2. Off. of supt., co. home, 1st fl.

3. R.S. 1874, p. 758.
4. L. 1917, p. 639; L. 1919, p. 698; L. 1935, p. 1058.

XX. COUNTY NURSE

The county board is empowered to employ nurses for such public health nursing duties as it may deem necessary.[1] All nurses to be employed as public health nurses, in addition to being registered, must be certified by the Department of Registration and Education as qualified to perform the duties of public health nursing.[2] The Department of Registration and Education conducts examinations to determine the fitness of applicants, and may revoke any certificate for cause as set forth in the act.[3] Review of any order of revocation may be made by the circuit court, and appeals from orders or judgments of the circuit court in such review may be taken to the Supreme Court.

The county board prescribes the duties to be performed by the county nurse, and makes appropriations for the compensation and necessary expenses of such nurses.[4] In Menard County the county nurse visits child and adult patients throughout the county. Advice and assistance is received by the county nurse from the State Department of Public Health, and written reports, with the consent of the county board, are made to that department.[5] The compensation of the county nurse is fixed by the county board.[6]

296. COUNTY NURSING SERVICE, 1928--. 2 f.d. County nurse's files of examinations of children, showing names of township or village, name, age, and physical findings of child examined, and date and type of treatment. Arr. by date of treatment. No index. Hdw. on pr. fm. 9 x 5 x 10. Co. nurse's off., 2nd fl.

297. COUNTY TUBERCULOSIS SURVEY, 1928--. 2 f.d. Files of tuberculosis survey, showing name, personal and occupational statistics, present condition of patient, physician's diagnosis, date of examination, and prescribed treatment. Arr. by date of treatment. No index. Hdw. on pr. fm. 9 x 5 x 10. Co. nurse's off., 2nd fl.

1. L. 1931, p. 732.
2. L. 1937, p. 998.
3. Ibid., p. 1000, 1001.
4. L. 1931, p. 732.
5. Ibid., p. 733.
6. Ibid., p. 732.

XXI. TUBERCULOSIS SANITARIUM BOARD

In 1909 the powers of the county were extended to permit the establishment of a sanitarium for the care and treatment of county residents suffering from tuberculosis.[1] This provision was greatly amplified in an act of 1915 which described in detail the conditions necessary to the establishment of such an institution and the manner in which it was to be supported, managed, and controlled.[2]

The act provided that whenever one hundred legal voters in a county should petition the county board to levy a tax for the establishment and maintenance of a tuberculosis sanitarium, the board was required to submit the question to the voters of the county at the next regular general election. A favorable majority of all votes cast upon the proposition was necessary for adoption.[3] In the original legislation of 1915 the amount of the tax levy was limited to not more than three mills on the dollar annually on all taxable property in the county.[4] This limit was lowered in 1923 to two mills,[5] and further reduced in 1929 to one and one-half mills,[6] the present statutory requirement. The money thus received was to be set apart in a special Tuberculosis Sanitarium Fund.[7]

The management of the sanitarium was vested in a board of three directors appointed by the president or chairman of the county board with the approval of that body. The directors were to serve for three years;[8] vacancies on the board were to be filled in the manner in which the original appointments were made. Immediately after their appointment, the directors were required to meet and elect from their number a president, secretary, and such other officers as they might deem necessary.[9] The Menard County electorate voted on November 7, 1922,[10] for the levying of a tax to establish such an institution;

1. L. 1909, p. 162.
2. L. 1915, p. 346-49.
3. Ibid., p. 346, 347.
4. Ibid., p. 346.
5. L. 1923, p. 302.
6. L. 1929, p. 304.
7. L. 1915, p. 346; L. 1923, p. 302; L. 1929, p. 304,305.
8. The first three directors, however, were required to serve for irregular terms of one, two, and three years in order to permit the appointment of one new director annually. The particular term each director was to serve was decided by lot (L. 1905, p. 347).
9. L. 1915, p. 347.
10. County Commissioners' Record, v.11, p. 513, see entry 2.

the first board of directors was appointed on June 21, 1923.[11]

Today the powers and duties of the board of directors are essentially the same as in 1915. The directors have been given broad powers in the control and management of any sanitarium, all dispensaries, or auxiliary institutions and activities established or carried on under the provisions of the act of 1915 and subsequent legislation.[12] They are granted exclusive control of the expenditure of all moneys collected to the credit of the fund and may receive, in the name of the county, contributions or donations to the sanitarium of money or property. Persons desiring to make a donation, bequest, or devise of any money, personal property, or real estate may vest the title to such property in the board of directors who, upon acceptance, hold and control it and act as special trustees. Otherwise, all moneys received for the use of the sanitarium are deposited in the county treasury within a month after their receipt, to be drawn upon only by the proper officers upon presentation of properly authenticated vouchers of the board of directors. When such a deposit is made the board is required to secure a receipt from the treasurer.[13]

Since 1923, to insure greater working efficiency, counties maintaining tuberculosis sanitariums have been permitted to convey property for such purposes, to any adjacent county or counties upon such terms and conditions as the respective county boards agree on by a majority vote of all members of each board. In the same year it was also provided that counties without public tuberculosis facilities might use funds secured for that purpose to give patients sanitarium care in private or public sanitariums of the state.[14] The Tuberculosis Sanitarium Fund of Menard County is distributed under this latter provision, as no county sanitarium is maintained.

The directors are required to return to the county board monthly a list of the names of all persons making contributions and donations, the amount and nature of the property so received, and the date of its receipt. On or before the second Monday in June in each year, the directors make an annual report to the county board, stating

11. County Commissioners' Record, v. 12, p. 20.
12. L. 1915, p. 346-49; L. 1923, p. 302,303; L. 1929, p. 304,305. Cf. Ill. Rev. Stat. 1939, p. 984-88.
13. L. 1915, p. 347-49.
14. L. 1923, p. 303.

the condition of their trust on the first day of June, the various sums of money received from all sources and how and for what purpose expended, the number of patients, and other pertinent statistics, information, and suggestions.[15]

15. L. 1915, p. 348,349.

XXII. MINE INSPECTOR

Legislation in regard to health and safety in the mining industry originally made the county surveyor, ex officio, inspector of mines.[1] As such inspector he was to be assisted by a practical miner, to act under oath, and to receive a salary fixed by the county board and paid out of the county treasury. His duties were to see that safety measures were observed in the mines and to collect facts relative to coal mining and mining land. The inspector reported to the Governor annually on the condition of mines in regard to safety and ventilation and the result of examination of causes of accidents.

In 1877 the legislature authorized the county board, in each county in which mining is carried on, to appoint an inspector of mines.[2] This county inspector, who had to give evidence of practical mining experience, was required to take an oath of office, and to furnish a bond to the county board in an amount fixed by the latter body. The amount of the bond was fixed in 1879 at not less than $1,000 nor more than $3,000.[3] Where a competent inspector was not appointed, or where the inspector did not properly perform his duties, then the circuit judge, at the request of ten citizens of the county, and upon proper proof of incompetency, was empowered to remove the inspector and appoint a properly qualified person to act during the unexpired term.[4]

The State Mining Board was created in 1899, and the state divided into seven inspection districts, with a State Inspector of Mines in each.[5] The county also was fitted into this new organization with the requirement that the county board appoint a county inspector of mines upon the written request of the State Inspector for the district in which the particular county was located.[6] The intention of the legislature to maintain centralization in mine inspection was indicated by this statute which made the county inspector an assistant to the State Inspector. In accordance with this act, a county mine inspector was appointed in Menard County on December 20, 1901.[7]

Provision was made in 1915 for petition by the State Inspector to the county court upon failure of the county

1. L. 1871-72, p. 572.
2. L. 1877, p. 141,142.
3. L. 1879, p. 208.
4. Ibid., p. 209.
5. L. 1899, p. 306,308.
6. Ibid., p. 314,315.
7. County Commissioners' Record, v. 9, p. 162, see entry 2.

board to appoint a suitable county mine inspector.[8] If necessary, the court will appoint an inspector, and order the county board to appropriate money for his compensation. This provision was recently reenacted.[9]

For mine inspector's reports to county board, see entry 37.

8. L. 1915, p. 509,510.
9. L. 1939, p. 727,728.

XXIII. FARM BUREAU

Menard County Farm Bureau was organized on November 15, 1918 to promote and foster the social and economic interest of persons engaged in agriculture, and to encourage, promote, and foster cooperative organizations for the mutual benefit of its members. The membership of this bureau is made up of farmers of the county. A farm advisor is employed who cooperates with the University of Illinois, College of Agriculture in its program of extension education and farm studies, and who works with farm leaders in establishing such organizations as 4-H Clubs and Dairy Herd Improvement Associations.

In 1914 Congress inaugurated a program of agricultural extension education by providing for cooperation between the agricultural colleges in the several states and the United States Department of Agriculture.[1] The purpose of the act was to aid in diffusing useful and practical information on subjects relating to agriculture and home economics, and to encourage the application of the same. An appropriation was made to each state to carry out the act, subject to the assent by the state legislature to the provisions of the act, and provided that the state appropriate a sum equal to that given by the Federal government.[2] The General Assembly assented to this act by a joint resolution which authorized and empowered the trustees of the University of Illinois to receive the grants of money appropriated under the act, and to organize and conduct agricultural extension work in connection with the College of Agriculture of the University.[3]

The General Assembly appropriated money in 1917 for the payment of county agricultural advisors.[4] The money was appropriated to the Department of Agriculture to be distributed equally among the several county agricultural advisors of the state to apply upon their salaries. The vouchers approved by the Department of Agriculture for payment were to be accompanied by the certificate of the agricultural college of the University of Illinois that the requirements of the act relative to the employment of county advisors had been substantially applied. In 1928, to further develop the cooperative extension system in agriculture and home economics, Congress appropriated additional sums of money, eighty percent of which was to be utilized for the payment of salaries of extension

1. 38 U.S. Stat. 372.
2. Ibid., 373.
3. L. 1915, Joint Resolutions, p. 732.
4. L. 1917, p. 85.

agents in counties of the several states.[5] The farm advisor is paid by the state and Federal governments in a sum that is determined by each appropriation.[6]

5. 45 U.S. Stat. 711.
6. L. 1939, p. 154.

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ROSTER OF COUNTY OFFICERS*

(Date after name of officer refers to date of commission, unless otherwise stated)

County Commissioners' Court**

(The first county administrative body, from 1839 to 1849, which consisted of three elected commissioners)

Geo. W. Simpson, William Engle, James Walker,[1] April 1, 1839 (elected)[2]
John Clary, August 3, 1840 (elected)

* This list was compiled from the following sources:

A. Secretary of State. Index Department, Election Returns.
Returns from County Clerk to Secretary of State. 1809-47, 78 volumes (1-78), third tier, bay 1; 1848--, 53 file drawers (2-54), third tier, bay 2, State Archives Building, Springfield.

B. Secretary of State. Executive Department. Certificates of Qualifications. 1819--, 22 file drawers (1-22), fourth tier, bay 5, State Archives Building, Springfield.

C. (1) Secretary of State. Executive Department Official Records.
List of Commissions Issued to County Officers. 1809-1918, 5 volumes, fourth tier, bay 6, State Archives Building, Springfield.
(2) Secretary of State. Executive Department Official Records.
List of Commissions Issued to County Officers. 1869--, 4 volumes, room 208, second floor, Secretary of State's office, Executive Department, State Capitol Building, Springfield.

Where state records are incomplete or missing, data are secured from county records; secondary sources are used only when state and county records are deficient or not available.

** By a law passed in 1837, the three commissioners elected at the regular election in 1838 or at the first election held in counties organized thereafter until 1849 were to draw lots marked one, two, and three years to determine length of term. Thereafter, until 1849, one commissioner was to be regularly elected each year to serve a three-year term. For length of term of other county board officers, see County Board; for length of term of all other officers, see individual office essays.

1. County records show this name to be Joseph Watkins (Commissioners' Court Record, v. 1A, p. 1, in County Commissioner's Record, see entry 2).
2. Simpson, Engle, and Watkins drew the one-, two-, and three- year terms, respectively June 4, 1839 (ibid., p. 27).

County Commissioners' Court--Continued

William Engle,
August 2, 1841 (elected)
John Pemberton,
August 1, 1842 (elected)
John Clary,
August 7, 1843 (elected)
Harry Riggin,
August 5, 1844 (elected)
George Wilson,
August 4, 1845 (elected)
Archibald Kincaid,
August 3, 1846 (elected)
Charles L. Montgomery,
August 2, 1847 (elected)
Jacob Garber,
August 7, 1848 (elected)

County Court

(From 1849 until institution of commission form of government in 1873, county business was administered by the county court consisting of the county judge and two associate justices)

Jacob Garber, county judge,
November 22, 1849,
John Tice, Charles J.F. Clark, associate justices,
November 6, 1849 (elected)
C.J.F. Clarke (Clark), county judge,
James Mott, J. Reed, associate justices,
November 23, 1853,
D.J. Hutcherson, associate justice,
July 17, 1854 (to fill vacancy)
C.J.F. Clarke, county judge,
D.J. Hutcherson, associate justice,
November 14, 1857,
Robert Clary, associate justice,
November 19, 1857
Joseph H. Pillsbury, county judge,
Robert Clary, Daniel S. Hughes, associate justices,
December 9, 1861
Milton B. Harrison, county judge,
November 15, 1865,
Edward L. Swiney, S.M. Haughton, associate justices,
November 7, 1865 (elected)

County Court--Continued

C.H. Robertson, county judge,
November 23, 1869,
Harmon Warnsing, associate justice,
December 3, 1869,
Richard Woldridge, associate justice,
November 15, 1869,
Milem Alkire, associate justice,
December 2, 1872,[3]
James Purkapile (Perkapile), associate justice,
February 12, 1873[4]

Board of County Commissioners

(Beginning in 1873, administration of county business was lodged in this board of three elected officers)

Milem Alkire, W.C. Smoot,
James Purkapile, December 1, 1873[5]
James Altig,
December 7, 1874[6]
William C. Smoot,
November 18, 1875
Andrew Gaddie,
November 27, 1876
James Altig,
December 1, 1877
Frank W. Duncan,
November 22, 1878
Andrew Gaddie,
November 20, 1879
James Altig,
December 1, 1880

3. Recorded with Woldridge as associate justice (County Court Record, v. 4, p. 327, in County Commissioners' Record, see entry 2). County board records do not state that he succeeded Warnsing but such is the only conclusion which may be drawn inasmuch as Warnsing is not recorded as an associate justice on or subsequent to this date and that Woldridge served until the appointment of his successor, see footnote 4.
4. Appointed vice Woldridge, resigned (ibid., p. 343).
5. Recorded as members of board of county commissioners at meeting on this date (County Court Record, v. 4, p. 426). Records do not show who drew the one-, two-, and three-year terms as provided by law (Const. of 1870, Art. X, Sec. 6). Alkire was not recorded as present at meeting December 7, 1874, James Altig being shown as the new member; this would indicate that Alkire had drawn the one-year term in 1873. Since Smoot was recommissioned in 1875, this would indicate that he had drawn the two-year term in 1873, leaving Purkapile as drawing the three-year term.
6. County Court Record, v. 4, p. 546.

Board of County Commissioners--Continued

Woodson P. Greene,
November 28, 1881
Andrew Gaddie,
December 1, 1882
Henry H. Schirding,
November 24, 1883
Woodson P. Greene,
December 1, 1884
Andrew Gaddie,
December 7, 1885
Henry H. Schirding,
December 6, 1886
Imla Hewitt,
December 5, 1887
John Claypool,
December 3, 1888
Henry H. Schirding,
November 27, 1889
George N. Spears,
November 24, 1890
James P.K. McAtee,
November 12, 1891
Henry H. Schirding,
December 22, 1892
George N. Spears,
November 14, 1893
James McAtee,
November 23, 1894
John B. Gum, Jr.,
November 16, 1895
George N. Spears,
December 7, 1896
Kirby S. Johnson,
November 22, 1897
Henry S. Houghton,
November 12, 1898
W.E. Johnson,
November 10, 1899
H.J. Marbold,
November 13, 1900
Elias Watkins,
November 11, 1901
Charles D. Gum,
November 7, 1902
Harmon J. Marbold,
November 9, 1903
Frank A. King,
November 14, 1904
Charles D. Gum,
November 13, 1905
Harmon J. Marbold,
November 9, 1906
Samuel C. Watkins,
November 8, 1907
C.D. Gum,
November 10, 1908
Harmon J. Marbold,
November 5, 1909
Samuel C. Watkins,
November 15, 1910
C.D. Gum,
November 11, 1911
Harmon J. Marbold,
November 5, 1912
G.H. Gerdes,
November 7, 1913
Samuel O. Savage,
November 9, 1914
Samuel Greenwald,
November 4, 1915
Wilma L. Wilms,
November 14, 1916
Elias Watkins,
November 8, 1917
John Crawford,
November 8, 1918
William H. Houghton,
November 6, 1919
Elias Watkins,
November 12, 1920
C.A. Wagoner,
November 10, 1921
George T. Klein,
November 9, 1922
Ira A. Smith,
November 9, 1923
John B. Crawford,
November 7, 1924
W.J. Lawson,
November 9, 1925
Irvin Woodrum,
November 8, 1926
John Deverman,
November 14, 1927
Roscoe Lee,
November 10, 1928

Board of County Commissioners--Continued

Henry Brunen,
November 7, 1929
John H. Deverman,
November 12, 1930
J.T. Langston,
November 14, 1931
George Niemeier,
November 19, 1932
Sam Greenwald,
November 16, 1933
Charles Hiles,
November 23, 1934
Irvin C. Woodrum,
November 14, 1935
Herman G. Miller,
November 17, 1936
Arthur H. Roegge,
November 12, 1937
Carl Schafer,
November 15, 1938
Howard Horn, Ernest M. Primm,
January --, 1941[7]

County Judges

Jacob Garber,
November 22, 1849
C.J.F. Clarke (Clark),
November 23, 1853,
November 14, 1857
Joseph H. Pillsbury,
December 9, 1861
Milton B. Harrison,
November 15, 1865
C.M. Robertson,
November 23, 1869
Joseph H. Pillsbury,
November 19, 1873
John Tice,
December 1, 1877
Henry H. Hoagland,
December 1, 1882,
December 6, 1886,
November 26, 1890,
November 26, 1894
Frank E. Blane,
November 19, 1898
George B. Watkins,
July 1, 1902,
November 20, 1902,
November 30, 1906
G.E. Nelson,
November 30, 1910
Jesse M. Ott,
November 25, 1914,
November 14, 1918
Virgil O. Whipp,
November 20, 1922,
November 24, 1926,
November 25, 1930,
December 4, 1934,
January --, 1941[8]

7. Shown serving with Schafer as county commissioners (Illinois Department Secretary of State, Edward J. Hughes, Secretary, Official List of State and County Officers, January, 1941, p. 36). Hereinafter cited as Official List of County Officers, January, 1941.
8. Official List of County Officers, January, 1941. Re-elected in 1938.

Probate Justice of the Peace

(In 1849 the probate justice was succeeded by the county judge as judge, ex officio, of the probate court)

Asa D. Wright,
April 15, 1839,
May 1, 1839,
August 23, 1843,
August 11, 1847

County Clerks

(Clerks of the county commissioners' court, county court, and board of county commissioners)

Nathan Dresser,
April 1, 1839 (elected)
Thomas Peak,
August 7, 1843
Robert C. Scott,
August 2, 1847
Cornelius Rourke,
November 23, 1849,
November 23, 1853,
November 14, 1857,
December 9, 1861
Hobart Hamilton,
November 20, 1865
Alfred E. Mick,
November 15, 1869
Anson Thompson,
November 19, 1873,
December 1, 1877
E. Wesley Eads,
December 1, 1882
Adam W. McGeachin,
December 6, 1886
Harvey M. Levering,
November 26, 1890,
November 26, 1894,
November 22, 1898
Albert W. Hartley,
November 13, 1902,
November 27, 1906,
November 28, 1910,
November 25, 1914,
November 13, 1918,
November 20, 1922,
November 24, 1926
Lyman A. Pillsbury,
November 25, 1930,
December 4, 1934
Maurice Ogden,
April 6, 1935,
November 17, 1936,
January --, 1941[9]

Recorders

(In 1849 the circuit clerk became recorder, ex officio)

William G. Spears,
April 15, 1839
Jacob H. Laning,
September 11,1843
Cornelius Rourke,
September 17, 1847

9. Official List of County Officers, January, 1941, p. 36.

Circuit Court Clerks

(Prior to 1848, circuit clerks appointed by circuit judges)

Augustus K. Riggin,
September 4, 1848 (elected),
November 13, 1852,
November 14, 1856
Joseph Johnson,
November 20, 1860
William J. Estill,
November 22, 1864,
November 20, 1868
Theo. C. Bennett,
November 15, 1872,
November 27, 1876,
December 1, 1880,
November 13, 1884,
December 3, 1888,
November 21, 1892,
December 7, 1896
David L. Bennett,
November 30, 1900
William F. Thompson,
November 18, 1904
Ross A. Nance,
November 18, 1908,
November 22, 1912
Richard B. Ruh,
December 1, 1916
Arthur H. Frewert,
November 19, 1920
John C. Harris,
November 24, 1924,
November 22, 1928,
November 28, 1932
Allen Smith,
November 16, 1936,
January --, 1941[10]

Sheriffs

(Collectors, ex officio, 1844 to date)

James Goldsby,
April 15, 1839,
August 28, 1840,
August 16, 1842
N.A. Rankin,
August 9, 1844,
August 18, 1846
James Taylor,
August 17, 1848,
December 26, 1848
James G. Long,
December 2, 1850
Benjamin D. McAtee,
November 13, 1852
John R. Gum,
April 8, 1853,
November 14, 1854
James B. Goldsby,
November 10, 1856
John M. Hurt,
December 3, 1858
Amory K. Johnson,
November 20, 1860
William C. Smoot,
December 8, 1862
James M. Quinn,
November 22, 1864
John Tice,
November 14, 1866
Robert Clary,
November 20, 1868
Frederick Wilkinson,
November 29, 1870,
November 15, 1872
Wolfgang Feulner,
November 24, 1874,
November 27, 1876
Fredrick Wilkinson,
March 26, 1878,
December 2, 1878

10. Ibid.

Sheriffs--Continued

Michael T. Hargrave,
December 1, 1880,
December 1, 1882
William J. Brewer,
December 6, 1886
Joseph W. Estill,
November 29, 1890
George W. Hatch,
November 23, 1894
Jasper Newton Rutledge,
November 19, 1898
Edward J. Fahy,
November 18, 1902
Richard S. Rule,
November 27, 1906
Thomas Ed. Courtwright,
November 28, 1910 .
George P. Clary,
November 25, 1914
Henry Granstaff,
November 13, 1918
George P. Clary,
November 20, 1922
Thomas Ed. Courtwright,
November 24, 1926
Byron Morgan,
November 25, 1930
F.J. Raikes,
November 23, 1934
Harry Riggin,
July 1, 1939[11]

Coroners

Martin S. Morris,
April 15, 1839
George D. Adams,
August 7, 1840
John E. Rawlings,
August 5, 1842
Ira W. McGlasson,
August 9, 1844,
August 27, 1846
McLean Wood,
August 23, 1848
Thomas P. Garretson,
November 20, 1850
Cornelius Levering,
November 13, 1852
W.I. Hutcherson,
November 23, 1853
William Trent,
November 14, 1854
F.C. Davis,
November 10, 1856
John T. Brooks,
December 3, 1858
Cornelius Levering,
November 24, 1860,
December 8, 1862
A.L. Clary,
November 21, 1864,
November 28, 1866
Louis L. Montgomery,
June 23, 1869
George W. Hicks,
November 8, 1870
(elected),
February 20, 1871
Wm. S. Morse,
November 29, 1872
Jasper J. Erwin,
November 24, 1874
Leopold Ahronheim,
November 27, 1876
William D. Cowan,
December 2, 1878
John R. Degge,
December 1, 1880
John Backes,
December 1, 1882

11. Official List of County Officers, July 1, 1939, p. 36; idem, January, 1941.

Coroners--Continued

William D. Cowan,
December 1, 1884
William B. McAtee,
November 10, 1885,
December 3, 1888,
November 28, 1892
Abraham L. Clary,
November 11, 1893,
December 7, 1896,
November 30, 1900
H.E. Wilkins,
November 23, 1904,
November 17, 1908
H.P. Moulton,
November 12, 1912
Harry E. Wilkins,
November 28, 1916,
November 17, 1920,
November 24, 1924,
November 22, 1928
Dr. Loren E. Orr,
November 25, 1932
Dr. Horace P. Moulton,
November 17, 1936
Dr. Irving Newcomer,
January --, 1941[12]

State's Attorneys

(Appointed by the General Assembly 1839 to 1848;
elected by circuit district electorate to 1872)

Hardin W. Masters,
November 29, 1872,
November 27, 1876
Reuben N. Stevens,
December 31, 1879,
November 23, 1880
S.S. Knoles,
February 18, 1884
Samuel H. Blane,
November 13, 1884
Charles Nusbaum,
December 3, 1888,
November 21, 1892
John M. Smoot,
December 7, 1896,
November 30, 1900
Thomas P. Reep,
December 1, 1904
Julian H. Hall,
November 19, 1908
Henry E. Pond,
November 22, 1912,
November 28, 1916,
November 17, 1920
Edward G. King,
November 24, 1924,
November 22, 1928
John M. Smoot,
November 21, 1932
Jefferson Lewis,
November 17, 1936,
January --, 1941[13]

12. Official List of County Officers, January, 1941, p. 36.
13. Official List of County Officers, January, 1941, p. 36.

Treasurers

(Assessors, ex officio, 1844 to 1872, and 1873 to date)

Jacob H. Laning,
April 10, 1839[14]
John W. Warnsing,
August 5, 1839 (elected),
August 7, 1843 (elected)
James Walker,
August 2, 1847 (elected)
John McNamar,
November 6, 1849 (elected),
November 4, 1851 (elected),
November 8, 1853 (elected),
November 6, 1855 (elected)
John Tice,
November 20, 1857,
November 25, 1859,
November 5, 1861 (elected),
November 18, 1863
Samuel S. Knoles,
November 7, 1865 (elected),
November 5, 1867 (elected)
James W. Cheaney,
November 15, 1869,
December 18, 1871
Eli Reep,
November 19, 1873
Charles H. Thomas,
November 18, 1875,
December 1, 1877,
December 1, 1879
John G. Strodtmann,
December 1, 1880,
November 28, 1881,
December 1, 1882
Jasper N. Rutledge,
December 6, 1886
Eilert R. Oeltjen,
November 26, 1890
Henry Burfiend,
November 23, 1894
Lon R. Golden,
December 5, 1898
John Henry McMichael,
December 27, 1899

14. Appointed treasurer protem (Commissioners' Court Record v. 1A, p. 10, in County Commissioners' Record, see entry 2).

Treasurers--Continued

John H. Clary,
November 18, 1902
Henry K. Rule,
November 27, 1906
Edward W. Boeker,
November 28, 1910
B.H. Hutcherson,
November 25, 1914
W.D. Power,
November 13, 1918
Walter R. Clary,
November 7, 1922 (elected)
Jennie Dick,
November 24, 1926
Samuel H. Rule,
November 25, 1930
Arthur L. Dick,
December 4, 1934
Richard D. Rule,
July 1, 1939[15]

Superintendents of Schools
(School commissioners to 1865)

Samuel Berry,
April 10, 1839[16]
Thomas Wynne,
December 3, 1839[17]
Charles B. Waldo (vice Wynne, resigned),
March 4, 1840[18]
Tilman Hornbuckle,
August 2,1841 (elected)
August 7,1843 (elected)
Thomas L. Harris,
August 4,1845 (elected)
Francis Regnier,
August 2,1847 (elected)
John C. Sey,
November 6,1849 (elected)
John Tice,
November 4,1851 (elected)
M.B. Harrison,
November 8,1853 (elected)
J.H. Pillsbury,
November 6,1855 (elected),
November 20, 1857,
November 25, 1859
John Hill,
November 5, 1861 (elected)
Edward Laning,
November 18, 1863
Edward Booth,
November 15, 1865
William H. Berry,
November 15, 1869
K.B. Davis,
November 19, 1873
Robert D. Miller,
January 3, 1877,
December 1, 1877,
March 7, 1882,
December 1, 1882,
December 6, 1886,
November 26, 1890,
November 23, 1894
George C. Power,
November 19, 1898,
November 18, 1902
Robert D. Miller,
November 28, 1903
T.E. Cantrall,
November 25, 1904

15. Official List of County Officers, July, 1939, p. 36; idem, January, 1941.
16. Appointed (Commissioners' Court Record, v. 1A, p. 13, in County Commissioners' Record, see entry 2). Resigned, September 4, 1839, (ibid., p. 57).
17. Appointed. (Ibid., p. 70).
18. Appointed. (Ibid., p. 89).

Superintendents of Schools--Continued

Eva B. Batterton,
November 27, 1906,
November 28, 1910,
November 25, 1914
William Small,
June 20, 1919,
August 1, 1923
Powell J. Grosboll,
January 31, 1925,
November 2, 1926 (elected)
Bulah N. Wood,
November 7, 1927
Edmund N. Augspurger,
November 25, 1930,
December 4, 1934,
July 1, 1939[19]

Surveyors

(Beginning September 1936, surveyor appointed by board of county commissioners)

Edmund Greer,
April 15, 1839
John Gum,
September 12, 1843,
September 17, 1847
Anno Ritter,
December 11, 1849,
November 10, 1851,
November 23, 1853
Elihu Hall,
November 12, 1855
William F. West,
March 20, 1857
D.N. Carithers,
November 25, 1859,
December 9, 1861
John B. Gum,
November 18, 1863
A.E. Mick,
December 2, 1864,
November 18, 1865,
November 14, 1867
Andrew J. Kelly,
November 23, 1869,
March 2, 1872,
November 18, 1875
Abram Hall,
December 1, 1879
Isaac Hartley,
November 7, 1882 (elected)
Anthony Austin,
November 24, 1884
George C. Power,
December 3, 1888
J.M. Large,
November 8, 1892 (elected)
John Tice,
November 3, 1896 (elected),
December 14, 1900
Hobert Hamilton,
November 23, 1904
Cyrus M. Buckley,
November 3, 1908 (elected),
November 5, 1912 (elected)
George D. Warnsing,
November 7, 1916 (elected),
November 2, 1920 (elected)
Ben T. Axford,
November 4, 1924 (elected)
George D. Warnsing,
November 6, 1928 (elected)
Cyrus M. Buckley,
November 8, 1932 (elected)
Woodrow W. Tozer,
November 6, 1934 (elected)

19. Official List of County Officers, July, 1939; idem, January, 1941.

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